

BEFORE THE

## PUBLIC SERVICE COMMISSION OF WISCONSIN

Joint Application of Minnesota Power Company and Wisconsin Public Service Corporation for Authority to Construct and Place in Service Electric Transmission Lines and Other Electric Facilities for the Arrowhead-Weston Project, Located in St. Louis County in Minnesota, and Chippewa, Clark, Douglas, Lincoln, Marathon, Oneida, Price, Rusk, Sawyer, Taylor, and Washburn Counties in Wisconsin

5-CE-113

Public Service Commission of Wisconsin  
RECEIVED: 10/27/05, 3:19:47 PM**ORDER**

On October 30, 2001, the Commission issued its Final Decision in this docket authorizing Wisconsin Public Service Corporation (WPSC), Minnesota Power (MP), and American Transmission Company LLC (ATC) (together "applicants") to construct a 345 kV transmission line from the Arrowhead Substation near Duluth, Minnesota to the Weston Substation near Wausau, Wisconsin. The Commission issued its Order Modifying Final Order in this proceeding on December 19, 2003, to reflect increased estimated construction costs of \$420,308,000.

On February 14, 2005, the Commission issued an order on its own motion reopening this docket, under Wis. Stat. § 196.39(1), for the limited purpose of considering alternate routes in Douglas County, as necessary for the construction of the Arrowhead-Weston transmission line. The order did not reopen the Commission's prior decisions regarding the need for the transmission line. In its order, the Commission noted that, on February 2, 2005, the Douglas County Board of Supervisors voted to prohibit the county from negotiating with the applicants regarding the use of county-owned land. The apparent effect of the county's decision was to

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prevent construction of the transmission line on the route previously approved by the Commission in this proceeding, since the Commission's approved route crossed lands owned by Douglas County on which new easements were required. The Commission ordered the applicants to submit an amended application describing alternative routes or other options and their respective costs that would facilitate timely completion of the project. The applicants filed an amended application as required by the Commission's order on June 3, 2005.

By letter dated September 16, 2005, the applicants filed a motion to reconsider with the Commission, pursuant to Wis. Admin. Code § PSC 2.23. In the motion, the applicants stated that an agreement had been reached with Douglas County allowing the line to be built on the route originally authorized in the Commission's October 30, 2001 order. Since there was no longer a need to consider alternative routes, the applicants requested that the Commission reconsider its decision to reopen the docket.

The Commission finds that settlement between Douglas County and the applicants allowing the necessary easements resolves all of the issues in the reopened docket, since the docket was reopened for the limited purpose of considering alternate routes in Douglas County. In addition, whether this private agreement is equitable and in the interest of intervenors and the public is not within the scope of this docket.

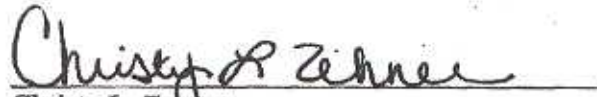
Since the negotiated easement agreement between the applicants and Douglas County resolves the routing issue that led the Commission to reopen this docket on its own motion under Wis. Stat. § 196.39(1), all issues that led the Commission to reopen the docket are resolved. As

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such, the applicants' motion is granted, and by this order the Commission closes its reopening of the docket.

Dated at Madison, Wisconsin, October 27, 2005

By the Commission:



Christy L. Zehner  
Secretary to the Commission

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See attached Notice of Appeal Rights