

# Transmission Line Review Process



## Necessary Certificates

A utility must receive a Certificate of Public Convenience and Necessity (CPCN) from the Public Service Commission (PSC) for a transmission project that is either:

- 345 kilovolts (kV) or greater; or,
- less than 345 kV but greater than or equal to 100 kV, over one mile in length, and needing some new right-of-way (ROW)

The CPCN review process includes a public hearing in the affected project area. All other transmission line projects must receive a Certificate of Authority (CA) from the Commission if the project's cost is above a certain percent of the utility's annual revenue. The CA review process does not automatically include a public hearing.

The size and complexity of a proposed project will determine the review process. When reviewing a transmission project, the PSC considers alternative sources of supply and alternative locations or routes, as well as need, engineering, economics, safety, reliability, individual hardships, and environmental factors.

## Route Selection and Alternatives

Applicants need to provide information for more than one possible route for projects that require a CPCN. Often applications include various route segments.

The utility may hold public meetings to encourage the public to provide information and comments on the proposed line before the application is submitted to the PSC. All routes are viewed equally during review by the PSC. Impacts to protected species, forests, waterways, community resources, aesthetics, farm operations, archeological/historical sites, etc. are reviewed. The PSC examines the

potential for placing new lines adjacent to railroads and roads, or within existing utility corridors. The route chosen may be the applicant's preferred route, an alternative route offered by the applicant, a combination of reasonable routes, or a variation of a route suggested by the public.

## **Transmission Right-of-Way**

The electric transmission right-of-way (ROW) is the strip of land that a utility uses to construct, maintain, and repair a power line. For large projects, the CPCN must be issued before the applicant can begin negotiating for ROWs.

An easement is a private agreement between a landowner and the applicant that contains details about the ROW. Wisconsin law (Wis. Stat. § 182.017(7)(c) to (h)) lists the rights of landowners whose properties are affected by transmission lines of 100 kV or larger and over one mile in length or for easements acquired since 1975.

## **Public Notification Letter and Scoping**

After an application has been filed, the PSC notifies the public that a review process is beginning. A public notification letter is sent to all property owners on or near the proposed ROW, as well as local government officials, libraries, media, and other interested persons. The notification describes the project, includes a map, identifies the level of environmental review the project requires, lists locations where copies of the application are available for review, and provides contact information.

The PSC may hold a project scoping meeting in the project area after notifying the public about the project. A project scoping meeting is not a hearing. It is an informal event that gives the public a chance to learn about the proposed project, the review process, ask questions, and talk directly with PSC staff.

## **The Environmental Impact Statement**

All applications are reviewed for environmental impacts. There are three levels of environmental review. The size of the project dictates the level of review that will be conducted.

- A basic review for potential impacts.
- An environmental assessment (EA) to determine if an environment impact statement (EIS) is needed.
- An EIS, a detailed analysis of how the proposed project might affect the natural and human environment. This analysis includes public comments and a public hearing.

## **The PSC Hearing and Decision**

Members of the public are encouraged to testify their views and concerns at a public hearing. However, not all electric transmission cases require hearings.

At a hearing, testimony is recorded and put into permanent record. Once a hearing is completed, the record is closed and no new information is added. The Commission can only use information in the record as a basis for their decision.

Hearings are not usually held for CA projects. Comments by the public may still be submitted either by telephone or in writing. The public can request a hearing on a CA project and the Commission will decide whether a hearing would be useful in making its decision.

The Commission is responsible for making the final decision on proposed transmission lines. The Commissioners review the applications and any transcripts, exhibits, memos, and briefs. The Commission discusses the issues raised in the hearing and makes their decision in an open meeting.

At open meetings, transmission line proposals are approved, denied, or modified. The Commission decides whether the line will be built, how it is designed, and where it will be located. The Commission's decision is described in a written order to the project applicant.

The Public Service Commission of Wisconsin is an independent state agency that oversees more than 1,100 Wisconsin public utilities that provide natural gas, electricity, heat, steam, water and telecommunication services.



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