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Details:

(FORM UPDATED: 07/12/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**2007-08**

(session year)

**Senate**

(Assembly, Senate or Joint)

**Committee on ... Commerce, Utilities and Rail  
(SC-CUR)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**
- Record of Comm. Proceedings ... **RCP**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt**
- Clearinghouse Rules ... **CRule**
- Hearing Records ... bills and resolutions  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                      (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

March 3, 2008

To the Senate

We as tax paying citizens of Calumet County oppose the attempt by the PSC to introduce a bill on wind energy.

We are opposing this for many reasons. We have been kept completely out of the process of putting this bill together. There is major decision to be made here. This is far too important to just rush this through because some big out of state company wants the tax credits

This bill will take away the power of our local Government, and this is not right! I still thought we lived in free country! We all pay taxes and should have equal rights. Our neighbor who will be allowed to have two industrial sized wind turbines 1000 ft. from our home and 500 ft from property line, stated to us in May of this year that he, "felt sorry for us because we didn't know what has been going on for the last two yrs." Why didn't we know because, in the invitation letter sent out by the turbine company stated, " that only people and their families that were putting up turbines were to attend this meeting others as well as any news media were not invited" Does this sound fair to you?

This bill will give the power to decide the setbacks regarding human health and safety to the PSC. The PSC has NOT shown itself to be a neutral player in fact they have been ADVOCATE of wind energy. I feel our human health. Safety and property rights will be sold down the river to door to door salesmen in the premise of clean energy.

Why don't we give better tax credits for all home owners who conserve energy? These are LLC companies with everything to gain and nothing to lose. Here today gone tomorrow. If check into things you will find out Enron was involved in turbines in Iowa.

We are not opposed to wind energy we are asking for the proper siting of these industrial sized wind turbines. If you give the rights for the siting of these turbines to the PSC it will be like letting the fox watch the hen house.

Please take time in making the decision regarding wind energy. Please consider all aspects of proper siting of wind turbines . Remember we are all human beings with a right to our health and safety as well as property rights of all!

Thank you  
Todd and Shelly Ludwig  
W4620 Schluchter Rd  
Chilton, WI 53014



March 3, 2008

Albert and Karen Ebert  
N1888 S. Townhall Rd.  
Chilton, WI 53014

To State Senators:

This letter is to enter our objection to Assembly Bill 899 and Senate Bill 544 which usurps local control of siting of wind energy systems by having the PSC set the ground rules. Very briefly, the current state model ordinance enacted by the state legislature leaves the safety and health of residents in local control. The new proposal would give primary control of these health and safety issues to the PSC by rule making authority. The people in Madison, along with lobbyists in Madison, will use this authority to determine what is best for us here in the rural areas. The model ordinance passed many years ago in Madison did not protect the health and safety of rural residents. We do not trust people in Madison to take care of us in the future by enacting this proposed legislation.

Please vote to reject this proposal and leave the health and safety of rural residents to rural governments. Thank you for your attention to this matter.

*Albert Ebert*  
*Karen Ebert*



March 3, 2008

Dear Senator's,

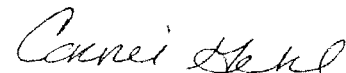
My name is Connie Gehl and I live in Calumet County. I am writing this letter to express my reservations regarding the PSC determining the placement of Wind Turbines in my area. I strongly oppose this for many reasons. I believe the local government should have control on establishing the proper placement of wind turbines in my community. I believe they will represent and protect my family, my neighbors and myself from any related health and safety concerns regarding wind turbines.

I strongly believe this is a local government issue not a state issue. The concerns related to wind turbines need to be addressed by the people who govern in the area and understand the areas landscape and concerns of the citizens who live there.

I do not believe the current setbacks and noise ordinances are nearly enough to protect my health and safety. I have read many articles including a federal study that states the setbacks backs should be at least a 1 and ½ miles away from a residence. I am not against wind energy, but I am against companies threatening my family's health and safety.

I also want to ask why isn't solar energy being pursued in the same fashion wind energy is? I just read an article in the *Mother Earth News* magazine dated for December/January 2008 stating that solar energy can produce 1600 kilowatts per acre versus 12 to 14 kilowatts per acre by wind energy. Interesting! Also, another article in the same magazine states that if 9% of the southwest desert would have solar panels it would produce enough electricity for the entire United States. This I think needs to be taken into consideration before we give up our valuable farmland and possibly affect the health and safety of the Wisconsin tax payers.

Sincerely,



Connie Gehl  
W4206 Hwy 151  
Chilton, WI 53014



March 4, 2008

Senate Commerce, Utilities & Rail Committee,

As a life long Calumet County Wisconsin rural resident I'm imploring you to uphold yourselves to the responsibility of the position to which you have been elected. Please do not hand over regulatory control for ALL wind turbine siting to the PSC. PSC has NOT shown itself to be a neutral player, but is in fact an ADVOCATE of wind energy. It's like giving the hen house to the fox. Human health, property rights, the environment, will all be trampled in a mad rush to site as many wind towers as possible.

What substantiation have you been provided that these wind industrial sites, which are being paid for substantially by US tax-payer dollars, are providing the type of cost-effective energy as was stated prior to construction? Certainly these foreign companies promoting these turbines, being in the industry for the length of years that they have been, statistics should be available. The only one I've seen so far relative to Wisconsin is the WI Public Service report on the 14 turbine Town of Lincoln project dated June 1, 2005 – May 31, 2006. These turbines ranged anywhere from 14 to 22% of capacity with a combined factor of 19%. How can this be considered acceptable for the amount of \$'s spent for construction?

More important though is the concern of health and safety for the residents of Wisconsin, your constituency, and the environment in which God has provided us to live. He has given us dominion over it.

"We urge the United States government to reject the global warming agreement that was written in Kyoto, Japan in December, 1997, and any other similar proposals. The proposed limits on greenhouse gases would harm the environment, hinder the advance of science and technology, and damage the health and welfare of mankind.

There is no convincing scientific evidence that human release of carbon dioxide, methane, or other greenhouse gasses is causing or will, in the foreseeable future, cause catastrophic heating of the Earth's atmosphere and disruption of the Earth's climate. Moreover, there is substantial scientific evidence that increases in atmospheric carbon dioxide produce many beneficial effects upon the natural plant and animal environments of the Earth.

A review of the research literature concerning the environmental consequences of increased levels of atmospheric carbon dioxide leads to the conclusion that increases during the 20th Century have produced no deleterious effects upon global weather, climate, or temperature. Increased carbon dioxide has, however, markedly increased plant growth rates. Predictions of harmful climatic effects due to future increases in minor greenhouse gases like CO<sub>2</sub> are in error and do not conform to current experimental knowledge.



The Earth has been much warmer during the past 3,000 years without catastrophic effects. Warmer weather extends growing seasons and generally improves the habitability of colder regions. As coal, oil, and natural gas are used to feed and lift from poverty vast numbers of people across the globe, more CO<sub>2</sub> will be released into the atmosphere. This will help to maintain and improve the health, longevity, prosperity, and productivity of all people. ”

I realize you are bombarded with a variety of issues and innumerable amounts of info. One which I have found to be an eye-opener on this whole misguided "Global Warming Theory" is

<http://www.oism.org/pproject> The quoted statements above come from there.

Evidence certainly seems to support that the operation of these industrial sized units create an environmental noise pollution and are posing serious health risks to families when they are built too close to homes. Please take this and the short term and long term welfare of the residents of WI seriously. "It is known that modern, very tall turbines do cause problems and many know the current guidelines fail adequately to protect the public. The current measure for setting a noise standard lacks credibility to many professionals. Until there are newly defined measures, the old measure should be withdrawn from use and an immediate minimum 2 km (1.24 miles) buffer zone placed between people's homes and wind turbines."

What is your documentation and substantiation that 1000 ft. setback from a residence DOES preserve and protect public health and safety? Much info substantiates quite the opposite. In fact, 1000 feet is an absolute human health detriment. What compensation will be provided for non-participating residents when degradation of health occurs? Please be open to medical studies and reports currently presented and ongoing. Take into consideration the suffering and length of time it took the Government to get a public policy on lead paints, DDT, asbestos, mercury, etc.

How probable is it that these turbines will be shutdown due to unbearable noise or other issues at night or anytime? Shadow flicker can be a tremendous nuisance to neighbors or drivers if local governments are prevented from taking this flicker into account.

I was aghast at seeing what is proposed for the Town of Brothertown from an FAAwebsite map. That is the township I grew up in and so much appreciated traveling down the County H or Hwy 151 hills at sunset times over Lake Winnebago. What an absolute shame if this comes to fruition. Certainly windmill ghettos is not what God intended for his creation.

What guidelines / measures will be taken to ensure well water safety or further degradation?

Certainly reliable electric energy is something we as US citizens have come to expect and too often probably take for granted. I don't disagree that wind energy may be a viable

option in the correct geographical setting at a responsible distance. Most of Wisconsin just does not appear to have the appropriate wind capacity per the US Wind resources maps provided by the US Dept of Energy for an economical efficiency.

I understand that the current lack of uniform regulation on this industry and the current extensive production tax credits and other US subsidies certainly are the probable driving factor for the aggressive efforts of the developers at this time. The law firm representing the commercial wind developer in a Texas lawsuit last year stated in their paper "In Defense of the Wind" "Despite that jury's recent verdict; there is reason to embrace a healthy setback of at least a half mile" (2640 feet).

We can protect the environment, meet Wisconsin's Renewable Portfolio Standards, site plenty of wind turbines, AND protect Wisconsin's strong tradition of citizen involvement in local decisions, IF we work together.

Thank you for your responsible efforts in obtaining an accountable, non-injurious legislation for the citizens of Wisconsin.



Mary Gebhart  
N2830 Spetta Rd  
New Holstein, WI 53061



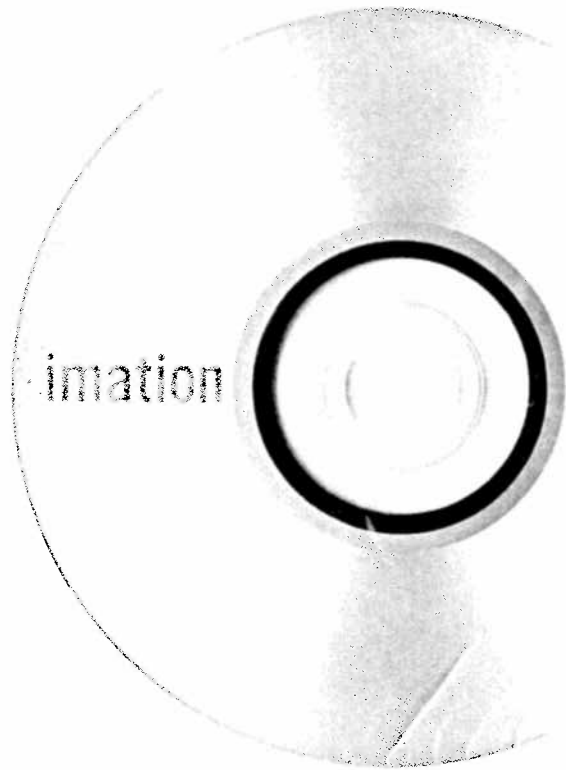
Dear Committee members:

March 4<sup>th</sup> 2008

I would like give you a little background on the Video that you currently have in your possession. I am a member of the Calumet County, Wisconsin Wind Turbine Ordinance Ad-Hoc committee. This committee was established by Calumet County Board Chairman Merlin Gentz, to assist the County Board. We are to review the current County Wind Ordinance Chapter 79 and make recommendations on changes that we feel may be needed. I also serve as the Co-Chairman of the Wind Energy Systems Advisory Committee for the Township of Chilton. My goal was is gather as much information as possible to make the right decision on how to ensure all of the citizens in Calumet County are protected.

Our Ad-hoc committee Chairman Merlin Gentz, had asked that we be provided with a bus trip to see different Industrial Wind Turbines located around the Mid West. He wanted this trip to be funded by the County so that it would not be controlled by any outside influences. He felt that when funding came from an outside source that has a monetary stake in the outcome, our committee's decisions may be lead astray. Merlin stressed that we needed to be able to go to these Wind Farms and stop when and where we wanted to. This would allow our committee to view and hear the turbines at different times of the day and at different wind speeds. We also were told this would allow for us to stop and talk with landowners in the area. It was Merlin's intent to just pull up to someone's home and knock on their door. Then we would ask permission to talk with them about their own personal feeling about living in the midst of Wind Turbines. Merlin tried hard to get the funding for this but was unsuccessful. Many of the members of the Ad Hoc committee had to go on a planned bus trip that was funded by Eco Energy and Clean WI. I know many of those who attended did take Merlin's advice and kept a wary eye to the location of the viewing center compared to the turbines. Another factor which we were told to be aware of was the wind speeds and location of the sun. At the time of the visit the wind speed was 15 to 20 Mph and the sun was located high overhead.

I have a brother-in law who lives in Mendota IL. My family decided that if we were going to make a couple of hundred mile trip to central IL we would go on our own. It was my intentions to do what Merlin said should be done to really get a feel for what it likes to live amongst these 400 foot wind turbines. After stopping and viewing different wind farms on Friday we stayed over night at my brother-in laws. We arrived at the Crescent Ridge Wind Farm mid morning on Saturday. I took Merlin's advice and knocked on doors till we were able to find someone home. We than asked if it were possible to talk with him about his feeling about how the turbines had affected their families life. The land owner said, yes he was willing to answer our questions, but he did request that at I do not use his name in the video. He said he has many friends in the area and just wanted to be honest about his family's experiences. We spent over 1½ hours with his family just talking about how there lives have been changed and what we should look for if and when these Turbines come to our area. We then met the buses and completed the tour with them. Sincerely Concerned with our world: Dan Hedrich 920-849-9560



Animation

DVD+R | 16

4.7GB, 2 hr



RL  
DVD  
JLWES



## Hodgson, Amber

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**From:** Patricia Bal [gpbal@netnet.net]  
**Sent:** Tuesday, March 04, 2008 9:09 PM  
**To:** Sen.Plale  
**Subject:** Senate Bill 544

W596 Birch Drive  
Pulaski, WI 54162  
March 4, 2008

Dear Senator Plale:

I live in the Town of Maple Grove (Shawano County) which is located approximately 12 miles west of Green Bay. We border Brown County and adjoin the Village of Pulaski. Our family has lived here for 30 years.

Today (Tuesday) I drove down to Madison to speak AGAINST Assembly Bill 899, however, I am unable to make the trip to speak at your meeting (Wednesday). Please consider this email message as my testimony:

In the spring of 2003, a salesman employed by Navitas Energy, Inc. came to our community. The purpose of his visit was to meet with various landowners offering them a \$2,000 sign on bonus to lease their land. Navitas Energy's plan was to construct 44 wind generators in our community. It would be called a Wind Farm.

I was a member of our local Planning & Zoning Commission, and one of the landowners who attended a sign-on bonus meeting contacted our Commission Chairman. It was the first we had heard of Navitas Energy and their proposed plan. This company and their salesman neglected to contact our town officials to explain their plans, they worked only with landowners.

Residents were upset, some even began making plans to sell their homes. A moratorium was enacted, and a town hall meeting was held at the Pulaski High School with over 250 concerned citizens in attendance.

Ten residents from our county were then selected to develop an ordinance, and I was one of them. Our guidelines and sources included publications written by the wind industry which clearly gave examples of the adverse affects wind generators can have on neighboring households. In 2003, the height of the turbines proposed for our area were 380 feet. One year later, this same company was constructing turbines that were over 500 feet tall. They had grown 100 feet within 1 year and continue to get taller. As we worked on our ordinance, after each section we would say, "Are we within the parameters of State Statute 66.0401?" We were extremely cautious to be sure we were in compliance.

Our committee met 50 times and besides attending our meetings we each conducted countless hours of research. After 18 months our ordinance was complete and passed by our County Board. I feel it is comprehensive, fair, and most of all will protect our citizens and keep them informed at every step of the way.

3/5/2008

Please do not take away our local control. Our local governing bodies surely are most sensitive to the needs of our residents. Will the Public Service Commission be sensitive to the needs of our residents? Please do not let them make decisions for our communities.

There already is enough state control with State Statute 66.0401 just as it stands today. Please vote NO to Bill 544, we do not want to lose our local control.

(Also, our town officials just heard about this bill Monday. It seems insufficient notice for something so important.)

Sincerely,

Patricia Bal





**Hodgson, Amber**

**From:** Kathy Luebke [kluebke@netnet.net]  
**Sent:** Tuesday, March 04, 2008 6:09 PM  
**To:** Sen.Plale; Sen.Breske; Sen.Wirch; Sen.Hansen; Sen.Cowles; Sen.Harsdorf; Sen.Kedzie  
**Subject:** Senate Bill 544

Dear Senators,

I am writing in regards to the public hearing on Senate Bill 544. I don't know the specifics, but what I am hearing I have concerns. If correct this bill places all regulations with the PSC (Public Service Commission) on the siting of wind turbines. To me this seems unfair as local municipalities take what is best for their communities into consideration, I question the rushing of this bill for passage as notification to the public has been very limited.

Again I ask you to please let local officials continue to regulate the placement of turbines based on current law and vote **no** on the proposed bill.

Thank you,  
Kathy Luebke  
Resident Town of Maple Grove  
Shawano County

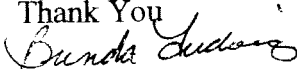


March 4, 2008

To: Senate Committee

My husband and I have owned our home in Calumet County for the last 25 years. It bothers me to think that our right to debate Industrial Wind Turbine issues at a local and county level could be taken away from us. We have the right to protect what we have worked hard for over the past 25 plus years. To think that if the state model ordinance guidelines were used by the PSC, a 420 foot Industrial Wind Turbine could be placed about 500 feet from our property is ridiculous and will devalue our property considerably. Therefore you need to oppose SB544 and keep our right to debate these issues at a local level. There are several alternative energy sources that should be subsidized at a greater amount to individual homeowners to benefit many not just a few.

Thank You



Brenda Ludwig

W4155 Wagner Rd.

Chilton WI 53014

920)795-4134

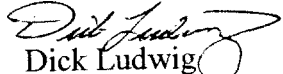


March 4, 2008

To: Senate Committee

I am a homeowner in Calumet County. We have seen hundreds of people gather very credible information on health and safety concerning Industrial Wind Turbines in our County over the past couple of years. This information has shown that the state model ordinance guidelines are very inadequate to protect the health and safety of Calumet County citizens. Some say that the PSC should have control of regulating wind farms because there is opposition. It is our right as taxpaying citizens to debate these regulations at a local township and county level. Therefore you should oppose SB544. There are many other alternative energy sources that should be subsidized at a greater amount to allow an average homeowner to install alternative energy systems.

Thank You

  
Dick Ludwig  
W4155 Wagner Rd.  
Chilton, WI 53014  
920)427-2689



# TOWN OF CLAY BANKS

Door County, Wisconsin

MYRON JOHNSON, CHAIRMAN  
MARK HEIMBECHER, SUPERVISOR  
PATRICK OLSON, SUPERVISOR

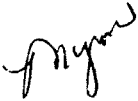
JESSICA BONGLE, CLERK  
TRUDY KRUGER, TREASURER

March 4, 2008

To: Representative Phil Montgomery, Chairman and Committee Members  
ASSEMBLY COMMITTEE on ENERGY & UTILITIES

Senator Jeff Plale, Chairman and Committee Members  
SENATE COMMITTEE on COMMERCE, UTILITIES & RAIL

From: Myron Johnson, Chairman  
TOWN OF CLAY BANKS



Dear Representative Montgomery, Senator Plale and Distinguished Committee Members:

My name is Myron Johnson. Our family resides at 6188 Midway Road, Algoma Wisconsin located in the southeast corner of the County of Door. I am here today speaking as Chairman of the Town of Clay Banks, a position I have held for over 30 years. In addition, I previously served on the Door County Board of Supervisors for 8 years and as vice-chairman for 4 of those years. In 1980 I initiated discussions with three townships and one village leading to the formation of the Southern Door Fire Department and served as President of the Fire Department for 8 years.

I am a farmer by trade, operating our 133 year-old family farm consisting of approximately 500 tillable acres, including rented land. Our family operated a successful dairy until 4 years ago when my wife suggested it was time to move on.

During my elected service, I have been very fortunate to have the support and trust of our community. While serving in these various capacities, there are not many issues that I have not dealt with or experienced. Many times the State has blessed us with a mandate or a law that we local officials have had to tolerate. I assume everything the legislature enacts and sends our way is wrought with good intentions; however, I can assure you, from a practical standpoint, that your intentions and our experience on the receiving end can be vastly different. Good intentions, if not based on sound principle, facts and processes have a detrimental effect on our communities.

This is the first time, in 30 plus years, I have felt the pressing need to testify at a state public hearing and I do so today with strong convictions. Mr. Chairman and committee members, as a seasoned Town Chairman, I appear today in opposition to the proposed Assembly Bill 899 and Senate Bill 544.

Both 'Legislative Bills' are ill conceived. They support the self-serving energy conglomerates efforts to remove local control and force unwanted policies and mandates on local government. The proposed law clearly removes town's rights regarding the protection of the health and well being of our communities. Further, this proposed law has received no public input nor have you sought to receive any input from citizens or communities. I assure you, the issues of wind energy are involved and complicated. They cannot be resolved by the stroke of a pen.



The 'Bills' state the PSC shall **establish common standards for political subdivisions**. It further states, **local ordinances cannot be more restrictive than PSC established rules**. How ironic, the fact that the State first mandates local governments to do Smart Growth Planning and now through these 'Bills' the State is saying, throw out your plans because the PSC knows what is best for you.

You have heard it said, 'One Size Does Not Fit All'. If we look at Wisconsin's manufacturing, agriculture, tourism, natural resources and then factor in the demographics of our communities we find we are indeed a very diverse state. The State of Wisconsin has long recognized that the health and well being of our communities is through strong local government, not state government. The Wisconsin Towns Association website states that Towns, **"...MUST BE ABLE TO RETAIN LOCAL CONTROL AND BE ALLOWED THE FLEXIBILITY TO PROVIDE THESE SERVICES AS DETERMINED BY EACH TOWN FOR THEIR CITIZENS AND PROPERTY OWNERS."** This proposed legislation disenfranchises local government from our state partner. Consider the following questions. How will the PSC know what is important for our town? Does the PSC know the demographics of our community? Has the PSC been involved in our long range planning? I can clearly and emphatically state that they do not. I can further state that in the context of one state model ordinance, 'One Size Will Not Fit All'.

Approximately one year ago the Town of Clay Banks appointed a Wind Energy Committee consisting of a structural engineer, an environmental engineer, physics major, a member from emergency services, three present and former town board members. The committee is wrapping up a yearlong process of research and formulation of our own Town Wind Energy Ordinance. Our research material included studies from the WHO, EPA, OSHA, and an extensive report on wind energy from the National Academies. Additional references supporting our ordinance include the following wind sponsored studies, 'Permitting of Wind Energy Facilities', 'NYS Energy Research & Development Authority', 'Technical Considerations in Siting Wind Developments' and 'A Study of Wind Energy Development in Wisconsin'. There are many more.

I bring this to your attention to make two important and valid points.

First, the text of our proposed Town ordinance is formulated from credible commissioned sources. Our ordinance does provide for an appeal process for aggrieved individuals and/or wind energy applicants. The appeal process, in the circuit court system, is fair and equitable to all parties.

By comparison, the only recourse available to an individual or a local unit of government, under this proposed legislation is an appeal to the Public Service Commission. The Public Service Commission is a biased, appointed body, not elected, beholden to few. Again, the proposed law is clearly an exclusion of individual rights, hardly a fair shake.

Secondly, the aforementioned studies are available to anyone and everyone, even the PSC. The PSC has had ample opportunity to incorporate facts from these and other studies into their present draft of a State Model Ordinance. They have had ample opportunity to provide leadership on this issue. They have elected not to do so. Their refusal to revise their model is a clear indication that PSC is not a neutral player but is an advocate for wind energy companies. In fact, wind energy continually refers to the PSC draft state model ordinance and the standards sets forth in it. In that regard, "Where are the peer reviewed sources that were used to create the state model?"

I find it amazing wind energy advocates are aggrieved by the work of local municipalities. Their claim is that, **'LOCAL JURISDICTIONS IMPOSE RESTRICTIONS AND REQUIREMENTS ON WIND DEVELOPERS THAT ARE EXPENSIVE, TIME-CONSUMING, AND OFTEN DIVORCED FROM SCIENTIFIC REALITY'**. Again, the text of

our proposed Town ordinance is formulated and derived from credible commissioned sources. Their ongoing claim of 'unreasonable' is not supported by such documentation.

Let me share excerpts of a letter from our local wind developer. This letter came as we were studying and resourcing information, prior to any writing of an ordinance. First comment, 'Community Wind Energy wants to be a good neighbor, and it is in a spirit of cooperation that we present the following topics for study'. Their first topic, 'Can and does Clay Banks town want to spend money on creating a document whose legal validity may be challenged in court?' The majority of the letter expounds on the topic of litigation. They close their letter, 'CWE wants to be a good neighbor and has no interest in litigation. However, we do think it is incumbent on the Clay Banks Town Board to be careful stewards of taxpayer's dollars'. Do these comments reflect a company that has the concerns for our community at heart? It reminds me of the bully that has the ball and says, if you don't play by my rules, I'm going to make you play by my rules.

Members of the committee, as energy is a subject that affects us all, we then need to address the topic of energy with a comprehensive examination of all the issues, including coal, nuclear and alternative energy. An assessment of energy conservation programs and the evaluation of energy initiatives should be established as a first step in this comprehensive plan. There is far too much waste. Let me provide a couple of examples of energy exploitation, i.e. wasted energy. The first example occurred on an evening in December when my wife and I drove by WE Energies in Milwaukee. The entire building was lit up like a giant beacon but there was not a single person to be seen in the entire structure. A second example occurred during a Monday night football game where they turned down the studio lights to show support in energy conservation. They then stated they saved enough electricity during the course of the game to power 50 homes. The next week the lights were all back on and their commitment in energy conservation had evaporated. A last example; when flying at night observe the vast expanse of city streetlights. Why not replace these bulbs with smaller wattage or turn off every fifth one or tenth one. These are three examples of outright energy abuse and there are hundreds more. Today your committee is considering adopting legislation that does not cure any energy problems but only offers a quick fix to a perceived problem as promoted by wind energy advocates. Their proposal is self-serving and does not address the need for a comprehensive assessment and initiative on energy. We would all be better off to come to a better knowledge and understanding of these issues before proceeding with the adoption of this proposed legislation.

Members of the committee, I ask that you oppose the passage of Assembly Bill 899 and Senate Bill 544. Good laws are based on sound principle, facts and processes. This proposed legislation falls short in each of those fundamental areas.

I thank you for this opportunity to appear before you today.



March 4, 2008

Senator Jeffrey Plale  
Room 313 South  
State Capitol  
PO Box 7882  
Madison, WI 53707-7882

Dear Senator Plale:

I am writing concerning the Public Hearing for the Committee on Energy and Utilities. I am reminding you of the huge mistake it would be to take decision making away from local government and putting the decision making into special interest groups. "We the people" need to be represented by our "neighbors" who are the elected officials, whom the majority voted for and who live in the same community as us.

We need to slow down and educate ourselves by studying the wind projects that have already been erected. We need to think of how the siting of wind turbines will affect nearby resident's health and well being, ruin the peace and quiet of country living, harm our environment, take away our property rights and disrupt the tax base of a community.

I have driven through the Johnsburg area where they are in the process of erecting 88 wind turbines. Being there put a knot in my stomach and a lump in my throat. I felt as though we were being invaded, but I wasn't sure by what. I realized we could see these 300+ foot structures from well over 10 miles away. At night there is a constant flashing of red lights that can be seen for miles around. This is not an industrial park. It is part of the Niagara Escarpment and the northern end of the Kettle Moraine. I am not sure what it has become.

I again urge you to oppose the passage of the PSC Wind Energy Preemption Bill. We must provide safeguards for citizens. We must maintain local government control.

Thank you for your time regarding the issues discussed.



Dana Backus  
W4529 Schluchter Road  
Chilton, WI 53014  
920.849.7658



N9W27353 Jacquelyn Dr.  
Waukesha, WI 53188-1251  
March 4, 2008

Representative Phil Montgomery  
Chairman, Assembly Committee on Energy and Utilities  
Room 129 West, State Capitol  
Madison, WI 53708

### **Wind Permitting Reform Legislation**

This letter is in support of AB 899, and its Senate counterpart, designed to improve upon Wisconsin's strategy for permitting wind generation facilities thus utilizing our valuable wind power resource.

The issue of local control vs. benefits for the larger community is certainly a classic issue. I attended a wind project development open meeting last fall in Chilton. A number of wind opponents and local elected representatives attended as well as wind advocates. We had a healthy exchange. I was particularly struck by the frustration openly felt by the elected representatives at the polarization in the community. They hadn't been able to find common ground

A survey by the Mellman Group in October 2007 showed overwhelming wind power support in Calumet County. And, of those living near proposed wind farm sites, 45% favor constructing wind projects vs. 38% opposed. Since we humans seem to find it easier to get charged up against something than to support it, the vocal wind project opposition has a more visible appearance than the surveys represent.

For me, this situation and experience points to the need for uniform criteria for wind project siting and permitting decisions made beyond the local municipality level. Owning my property comes with some obligation to the larger community. Responsible legislation involves listening to the opposition and then acting on the larger good.

This proposed legislation is a reasonable adjustment to the balance between individual property rights and the benefits for the larger community.

I urge the legislature to adopt the proposed wind permitting reform.

Thanks,

Dennis Briley





Sierra Club - John Muir Chapter  
222 South Hamilton Street, Suite 1, Madison, Wisconsin 53703-3201  
Telephone: (608) 256-0565 Fax: (608) 256-4562  
E-mail: john.muir.chapter@sierraclub.org Website: wisconsin.sierraclub.org

**Support AB 899 / SB 544, Wind Permitting Reform Legislation  
Before the Assembly Committee on Energy and Utilities  
By Shahla M. Werner, Ph.D., Director, Sierra Club-John Muir Chapter  
March 4, 2008**

Thank you for accepting comments today on behalf of the 15,000 members of the Sierra Club- John Muir Chapter in Wisconsin.

Our members have voted to make reducing global warming the key priority issue of our Chapter. For this reason, the John Muir Chapter of the Sierra Club strongly supports AB 899, which calls for the creation of fair, statewide standards for the development of clean, renewable wind energy in our state. We can not possibly hope to “balance the equation” of meeting critical goals of decreasing global warming pollution by 80% by 2050 or obtaining at least 10% of our energy from renewable sources by 2015 without large-scale development of wind power. If we fail to meet these goals, increased temperatures and changes in precipitation caused by global warming will result in grave impacts to Wisconsin’s ecology, public health, and economy. No energy source comes without environmental trade-offs, but we feel that impacts of the responsible development of wind energy are far less than the massive negative impacts of global warming pollution. These impacts will intensify if we continue to rely on coal to meet 80% of the state’s energy needs. The Sierra Club further believes that potential negative impacts to wildlife of wind energy systems can be substantially mitigated through careful siting and modern technology.

As a grassroots organization, the John Muir Chapter is pleased to see that this bill will allow local units of government to continue as the primary reviewer of large wind energy systems that are one to one hundred megawatts in size. Uniform statewide standards that will be included in AB 899 will address issues of concern to local communities, including visual appearance, setback distances, decibel levels, and interference with radio, television and telephone signals. The John Muir Chapter is also reassured to see that AB 899 includes opportunities for stakeholders to provide input on uniform statewide wind energy standards, and mechanisms for appeals are available. We sincerely hope you will support this common sense legislation, which will stop delaying us from starting Wisconsin down the path towards a renewable energy future.





Mike Lueth  
22676 Co. Hwy. T  
Norwalk, WI 54648

To: Assembly Committee on Energy & Utilities  
Re: Testimony in Opposition to AB 899 & SB 544  
From: Mike Lueth, Chairman, Town of Ridgeville, and Monroe County  
Date: March 4, 2008

My name is Mike Lueth. I am the Chairman of the Town of Ridgeville, in Monroe County. I am unable to appear in person at your public hearing in Madison on March 4<sup>th</sup> because I have to work. Please accept this memo as my testimony in opposition to AB 899 and SB 544.

The Town of Ridgeville is now facing a proposed industrial-scale wind energy project and our residents are very concerned about the adverse impacts of the proposed project on their health and safety, property rights, and quality of life. Our Town Board is also very concerned about the impact of the project on our Town roads, and about the cost of decommissioning and other costs that could fall upon the Town if the project is developed as proposed. Because of these concerns, the Town is developing a wind energy facility licensing ordinance under the current Wis. Stat. § 66.0401.

I strongly oppose AB 899 and SB 544, for the following reasons:

- The bills would preempt and remove local control over wind energy projects.
- Existing town and county ordinances would not be "grandfathered."
- The bills do not require the PSC rule to protect public health and safety—let alone private property rights.
- The bills do not state what "must" or "shall" be included in the PSC rule, and the PSC is given too much discretion.
- The bills do not require the PSC to consider local land use plans and zoning.
- The bills do not require the PSC rule to be developed with public input.
- The bills have had no public input prior to this week, and public hearings should be held on them around the State of Wisconsin.

Thank you for your consideration, and please vote against passage of these bills.

*Mike Lueth* Town Chairman



Senate and  
TO: Assembly Committees on  
Energy + Utilities

March 4, 2008

I ask that you oppose the passage  
of AB 899. and SB 544.

Surely health and quality of life  
should be of vital concern when  
putting together such a bill. Yet  
this bill is being rushed through,  
with no requirement that the PSC  
rule to protect health and safety,  
and no input from the public.

This is going to affect residents for  
a long, long time. Will our children  
and families have health issues?  
Will yours? Because as the Bill stands  
now, the PSC does not have to protect  
health and safety and the wind energy  
projects will be all over the place.

So, let's do the research first so we  
know how to keep our families safe.  
Let's learn from the sad examples  
of the cigarette, drug and chemical  
companies. Let's do wind energy right.

Patricia Irwin  
Town of Wilton, Monroe County



Dear Senator or Representative,

March 4, 2008

Concerning SB544 and AB899 which takes local control of wind turbine facilities siting and gives it to the PSC, we ask you oppose this legislation. We object to the taking of control from local government who know what is best for their communities not the bureaucratic PSC which is unaccountable to the citizens. You are elected to protect the health, safety and welfare of Wisconsin citizens.

The manner in which this legislation is being fast-tracked at the close of this legislative session is evidence that it is an underhanded tactic to take away local government's voice to the benefit of utilities and the wind industry.

To date, the wind industry has mislead, ignored and trivialized the health and safety concerns as they relate to noise, vibration and related illnesses.

The PSC backed document titled 'Wisconsin Model Wind Ordinance' wind developers use to mislead local governments to believe is law. This document is said to protect health and safety of residents. Yet through open records request it was found that the PSC used no medical or scientific research in drafting this model ordinance. Therefore the PSC seems to back irresponsible industrial wind siting that harms Wisconsin citizens.

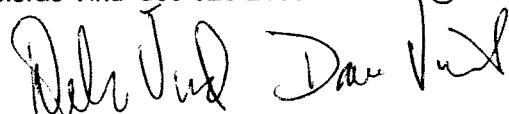
The wind industry, through their self-serving "model ordinance", has demonstrated that they want short setback distances from residences and high noise thresholds. These lax requirements are bad for citizens because they ignore the nuisance to neighboring properties and are unsupported by health and safety research.

- **Excerpts from the final report of the township of Lincoln wind turbine moratorium committee** – problems facing people and communities living near wind projects.
- **Noise radiation from wind turbines installed near homes; effects on health** – Frey, Hadden – [www.windturbinesnoisehealthhumanrights.com](http://www.windturbinesnoisehealthhumanrights.com) – a safe buffer zone of at least 2km should exist between family dwellings and industrial wind turbines of up to 2MW installed capacity, with greater separation for a wind turbine greater than 2 MW.
- **Effects of the wind profile at night on wind turbine sound** G.P. van den Berg – The measurements show that the wind speed at hub height at night is up to 2.6 times higher than expected, causing 15 dB higher sound levels relative to same wind speed in daytime. The turbines produce a thumping, impulsive sound, increasing annoyance further. It is concluded that predictions of wind turbine noise is underestimated at night.
- **Wind Turbines, Noise and Health** – Feb 2007 – Dr. Amanda Harry – [www.windturbinesnoisehealthhumanrights.com](http://www.windturbinesnoisehealthhumanrights.com) "From my discussions with people suffering from ill health who live near wind farms, it seems that the symptoms suffered can occur up to a mile from the wind farm. Until further independent medical and epidemiological research has been carried out I would suggest that no wind turbines' should be sited closer than 1.5 miles away from the nearest residence."
- **Location, Location, Location An investigation into wind farms and noise by The Noise Association** - John Stewart, UK Noise Association, London, July 2006. It would be prudent that no wind turbines should be sited closer than 1 mile away from residents.
- **French Academy of Medicine warns of wind turbine noise** – March 20, 2006 – The harmful effects of sound related to wind turbines are insufficiently assessed, warns the Academy. Recommends 1.5km from residences.
- **Testimony of Wendy Todd to the Maine wind energy task force September 26, 2007** – living under shadow of wind turbine issues noise and flicker.
- **Karen Ervin testimonial** – wind turbine noise problems.

Trempealeau County does not ban industrial wind turbines as the wind industry misleads you to believe. A one mile setback protects health and safety of residents and mitigation is always allowed for those who want to host these projects.

We ask that if any regulation be done it is to protect people's health and safety by regulating the industrial wind industry not taking away local control.

Sincerely, Dave and Deloras Vind 608-525-2103 [davevind@hotmail.com](mailto:davevind@hotmail.com)





March 4, 2008

Senate Commerce, Utilities & Rail Committee, Room 313 South  
Committee Chairman Sen. Jeffrey Plale  
Madison, WI 53014

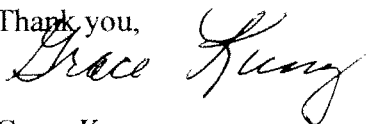
Dear Sen. Plale,

I oppose wind turbine reform bill that basically gives all permitting rights to the PCS because as follows:

1. The wind turbine permitting reform bill does not have any public input. Local people and local Government have gone to great lengths for factual information based on advice of experts in a variety of fields pertaining to wind turbines. A bill of this importance should include all aspects of siting by all people concerned especially since it is local people and local government that may have to deal with these issues on a 24/7 – 365 basis for the next 30 years. Do not allow the wind promoters/developers to rush these important decisions.
2. Wisconsin does not have a lot of wind energy potential compared to other states. Our tax dollars might well be better spent where we get more for our dollar.
3. This reform will take away our right to decide what size or appearance of the turbines that our community is willing to accept. Wind turbine promoters/developers seem to want to dictate to us what we should consider beautiful or appropriate. Paul Gipe is a renown author of six books on wind turbines. The following quote is out of his book titled “Wind Power in View”: “We must present ways for individuals to benefit from wind power if we expect their acceptance of such an intrusion on landscape. See (Fig. 5.4)”. My note: Figure 5.4 shows a picture that has only two turbines in sight from an aerial view. PSC has permitting authority over all power plants over 100 MW. Let the local people and local Government continue to decide what is best for their locale.
4. This bill will give more power to the PSC than “we the people”. Renown Paul Gibe’s says: “Setting Standards – The public represents a vital source of information on matters of development: Matters which are not always apparent in land use plans.” Human Health, property rights and the environment will be most affected by change because of these wind turbine farms and local people through the local Government should not be left out of this permitting process.

Please oppose the passage of this wind turbine reform bill giving power to the PSC during this session.

Thank you,



Grace Kunz  
Chilton, WI 53014





March 4, 2008

Senate Commerce, Utilities & Rail Committee  
Room 313 South  
State Capitol  
P.O. Box 7882  
Madison, WI 53707

Dear Chairman Plale and Committee Members:

Over the past year or so, I've watched and listened as both sides have battled the wind energy issue in Calumet County. As a local resident of 10+ years, I, as well as many others can see first-hand how wind sittings, not properly regulated, could have devastating consequences to our County. State government members do not have the same vantage point. Therefore, how is it possible that anyone other than our local government would know what is best for our area? It shocks me to think that local government may not have the control it needs to review important issues, such as wind energy, with full authority to make decisions in the best interest of its residents. It just doesn't make sense.

The collective evidence suggests that wind energy has some very serious drawbacks for our area. As a mother, my first concern is my children and family. When I learned of the unhealthy noise levels and the reluctance of government to allow proper setbacks as proven by experts in the field, I became concerned about our children. What if a windmill was close to their place of learning or play? How would that affect their development?

As a citizen, I worry about the rural poor and their property values, as towers in many areas are placed in their back yards. Their home, likely their largest asset, is now worth much less, if they can sell it. I know some are trying in Fond du Lac County. Who will want to own or build a home in a forest of windmills? I personally can't imagine it.

I also worry as to the upkeep of these windmills. Who will enforce that they be repaired when broken? What will our beautiful countryside look like? A vast waste land? How sad.

I am also concerned about our tourism dollars. When I drive through Fond du Lac County, it is jarring. A once lovely, pastoral backdrop is now punctuated by sharp, out-of-place mills that certainly won't be a draw for those who love our county most for its natural beauty.

And finally, does our area really provide the proper return on investment for wind turbines? It bothers me that we are spending large amounts of tax dollars to produce a small amount of energy, when wind energy could be purchased from other areas of the country that are able to produce more energy per turbine.

There are so many questions about wind energy in Calumet County. It is unfortunate that the wind companies can't seem to come up with good answers for most of them. They must be held accountable for what they propose to do which affects us all in Calumet County and the entire State, whether or not we live directly near a wind mill. If we do not, we ourselves are foolishly throwing caution to the wind.

Any business or community must adhere to strict guidelines for growth and development. Wind Energy is a business. Big business. And it would be a huge mistake to let this business grow unchecked by those who know this area best, the local citizen's and government of Calumet County.

I respectfully ask you to please oppose the passage of any bill that would take local government and local persons out of the decision making process for wind energy in Calumet County.

Thank you for your consideration,

Sarah L. Willett  
325 Lake Breeze Drive  
Chilton, WI 53014  
(Village of Stockbridge Resident)  
Phone: 920-439-1879





# WISCONSIN LEGISLATURE

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P. O. Box 7882 Madison, WI 53707-7882

March 4, 2008

Senator Jeff Plale  
Senate Committee on Commerce, Utilities and Rail Chairman  
Room 313 South, State Capitol  
Madison, WI 53707

Dear Chairman Plale:

We would like to take this opportunity to comment on Senate Bill 544 (SB 544), which is before the Senate Committee on Commerce, Utilities and Rail tomorrow.

It is not our intention to debate the merits of the bill, but rather to express our concerns with the apparent "fast track" this legislation seems to be on.

SB 544 was formally introduced on Friday, February 29<sup>th</sup>. A public notice of tomorrow's hearing and executive session were distributed to members of the Legislature late in the day yesterday. The bill's Assembly companion, Assembly Bill 899 (AB 899), was introduced on Thursday, February 28<sup>th</sup>. A public notice of today's hearing was distributed to members of the Legislature late in the day on Friday, February 29<sup>th</sup>. An executive session for AB 899 was published this morning.

As you know, the legislative session is slated to end on Thursday, March 13<sup>th</sup>. To become law, either proposal must be approved by both houses of the Legislature prior to adjournment on March 13<sup>th</sup>.

Because SB 544 preempts local authority to regulate wind energy systems, we have serious reservations with the introduction and push for passage of this bill in a span of two weeks. This is an issue deserving adequate opportunity for public input and participation in the legislative process.

To say that the siting of wind energy systems is a contentious issue in our legislative district is to characterize the situation lightly. The proposed installation of wind turbines in Calumet County has divided communities and pitted neighbor against neighbor like nothing we have ever seen before.

We have heard from numerous constituents who are strong advocates both for and against the siting of wind energy systems in Calumet County. Regardless of their

viewpoints, they should be afforded the chance to review and comment thoughtfully on this proposal. Two weeks does not provide a sufficient opportunity for thoughtful public input and constructive dialogue.

Much has been made of the fact that SB 544 is modeled after the Livestock Facility Siting Law enacted in the 2003 legislative session (2003 Wisconsin Act 235). We were supportive of that legislation and worked extensively on its development and the subsequent promulgation of the administrative rule package.

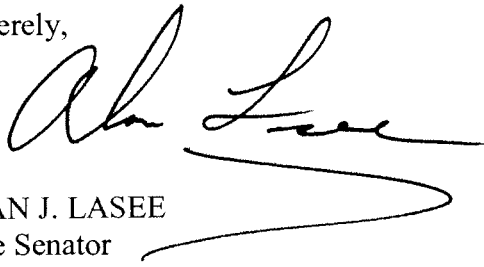
While there are some stark differences between SB 544 and the Livestock Facility Siting Law, the one we would point to today is that of the opportunity for a dialogue with the public. The Livestock Facility Siting Law took years to develop and was an open process at every stage, providing ample opportunity for public input and participation.

When all was said and done, everyone did not necessarily agree with the final product – some thought it was too stringent, some thought it was too lax – but the public was not able to accuse the Legislature of shutting them out of the process.

Expediting SB 544, or its Assembly companion, threatens the integrity of the process and shuts out our constituents – on both sides of the issue – from participating in the legislative process. Doing so is a blatant disregard for their concerns. We would caution that to push ahead, without reserve, does nothing more than perpetuate the negative perceptions associated with the siting of wind energy systems.

Thank you for your time and consideration of our request. We would be happy to discuss this issue further with you at anytime.

Sincerely,



ALAN J. LASEE  
State Senator  
1<sup>st</sup> Senate District



ALVIN R. OTT  
State Representative  
3<sup>rd</sup> Assembly District

cc: Members of Senate Committee on Commerce, Utilities and Rail





# LEAGUE OF WOMEN VOTERS® OF WISCONSIN

122 State Street, #201A  
Madison, WI 53703-2500

Phone: (608) 256-0827  
Fax: (608) 256-1761

<http://www.lwwwi.org>  
[lwwwisconsin@lwwwi.org](mailto:lwwwisconsin@lwwwi.org)

March 4, 2008

TO: Assembly Committee on Energy and Utilities  
Senate Committee on Commerce, Utilities and Rail

RE: Support AB 899/SB 544 Uniform Wind Siting Criteria

The League of Women Voters of Wisconsin supports adoption of Uniform Wind Siting Criteria, AB 899 and SB 544.

Wind might be the best renewable energy resource our nation has. Wind power is growing at 25-30% per year in the U.S., but not in Wisconsin. This is not for lack of wind development projects. Currently wind development is reviewed under standards and timelines that often differ from one jurisdiction to another. This is one barrier that legislators can address to promote the siting of more wind systems in our state.

These bills require the Public Service Commission (PSC) to promulgate administrative rules on standards on siting, installation and operation of wind-powered generation projects. The PSC already reviews wind projects over 100 Megawatts.

The rules would deal with visual appearance, setback distances, decommissioning, electrical connections to the power grid and interference with radio, telephone or television signals. These are issues that apply to all wind projects. They are also technical issues that are best addressed by the lead state agency regulating electric generation, the PSC.

Under these bills, uniform standards would be used throughout the state by local units of government. Local communities benefit from the expertise of the PSC in setting the standards and applicants benefit from a level playing field of standards with the certainty of a prescribed timeline.

Importantly, local governments would retain their authority to protect public health and safety. They also can continue as the primary reviewer of large wind systems. Local jurisdictions can enact an ordinance to review construction or operation of a wind system that must incorporate the uniform standards. In this way, applications for large wind systems, projects ranging from at least one Megawatt to 100 Megawatts, are subject to local government review. After completing the local process, aggrieved parties, whether wind developers or other affected parties, have the right to appeal to the PSC to review the local government decision to approve, reject or impose restrictions on the wind project. The PSC decision is subject to Chapter 227 review.

**The League finds that there is a fair balance of transparency between local and state bodies who will need to act on siting issues in AB 899/SB 544.**



We note that these bills are modeled on some aspects of the Wisconsin Livestock Siting Act (s. 93.90. Wis. Stats.). The Department of Agriculture, Trade and Consumer Protection (DATCP) is the lead agency under the Livestock Siting Act. That law has been implemented for almost two years now. Please log onto the DATCP website to see the array of fact sheets and training available to farmers and local officials on the uniform siting standards. The first annual report on implementation of that law is also very instructive on how to implement uniform state standards, [http://www.datcp.state.wi.us/arm/agriculture/land-water/livestock\\_siting/pdf/ATCP51AnnualReport.pdf](http://www.datcp.state.wi.us/arm/agriculture/land-water/livestock_siting/pdf/ATCP51AnnualReport.pdf)

As the lead agency for wind systems under these legislative bills, the PSC will need to assure that extensive educational outreach efforts are undertaken. Local units of government will want to understand and learn how to implement these new uniform state standards. Applicants will want to know how their projects will be reviewed by local governments.

We urge the Legislature to adopt AB 899/SB 544 to remove one more barrier to siting additional wind turbines.

Thank you for the opportunity to present the position of the League of Women Voters of Wisconsin on enhancing wind generation in Wisconsin.



**Ross DePaola**  
3473 Dell Drive  
Madison, WI 53718

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March 4, 2008

Senator Jeff Plale  
Rep. Phil Montgomery

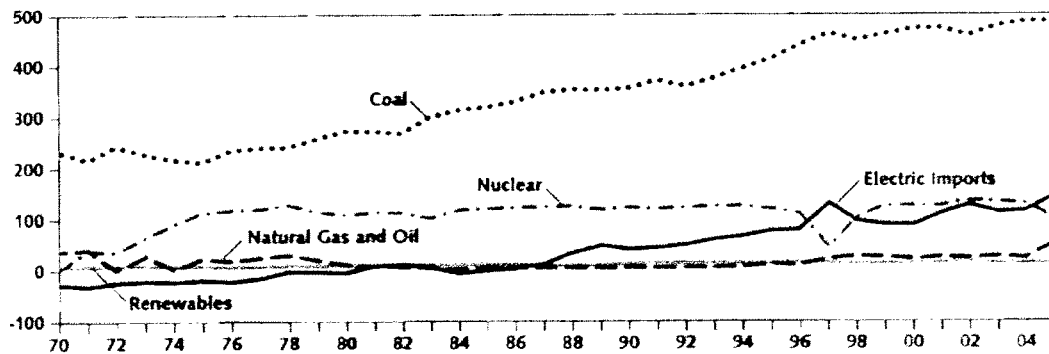
Subject: AB 899/SB 544 Wind Siting Reform Bill

Dear Senator Plale and Rep. Montgomery,

I am writing in support of this legislation to require the Public Service Commission to promulgate common rules for wind-powered generators.

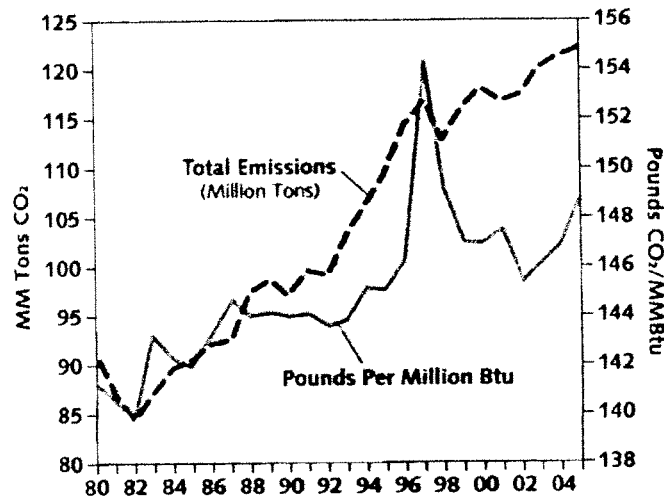
Wisconsin is a State that is heavily dependent upon coal energy for electric generation. Figure 1 from the 2006 version of Wisconsin Energy Statistics clearly shows how the mix of energy used for electric generation comes primarily from coal. In addition to this, note that as our appetite for electricity grows, the overwhelming response has been to increase coal consumption, either domestic or imported.

Figure 1: Wisconsin Energy Use for Electricity Generation



As a consequence for our increasing use of coal, Wisconsin's emission of CO<sup>2</sup> has increased as shown in Figure 2.

Figure 2: Wisconsin Carbon Dioxide Emissions



If there is any chance that we may begin to reduce our dependence on coal, we must encourage the development of indigenous, renewable and carbon-free technologies such as wind and solar.

This legislation requires the Public Service Commission (PSC) to promulgate state-wide rules that will be fair to both local governments and wind-power developers. Because wind power projects are highly localized, I believe that they are inherently disadvantaged when it comes to project siting. Although State law prohibits local jurisdictions from restricting wind development, wind power developers are required to wait until local governments prepare siting rules that are influenced by local opponents of wind power projects. As a result, wind power projects are often delayed and/or denied by unreasonable restrictions that don't reflect practices with other Wisconsin projects. Creating unfair restrictions has become a common loophole that is exploited by opponents of wind power projects and has been effectively used to circumvent State law. I believe the Public Service Commission will provide a fair balance between public safety and health, and Wisconsin's demand for clean electricity.

Current law gives the PSC preempting and permitting authority for projects over 100 MW, including wind energy projects. Projects under 100 MW are currently required to be permitted through local governments. This would not change under this legislation. However, the PSC would supply a state-wide set of consistent rules and would act as arbitrator for appeals.

For local projects larger than 1 MW that have valid issues, this legislation would institute a process for appealing local permitting decisions to the PSC. The appeal process will

provide developers and local governments with a framework and timetable for responding to issues that will insure that the process proceeds in a timely manner.

In summary, the current set of rules as they relate to wind power projects do not work. They put an undue burden on local jurisdictions to create rules, and they put an undue burden on developers, thus putting them at a competitive disadvantage over fossil-fuel energy generation. I believe the proposed legislation will ultimately be for the good of all parties concerned and will continue to encourage the development of renewable energy in Wisconsin.

In the interests of reducing our heavy dependence on fossil fuel and directing Wisconsin toward a renewable energy future, I encourage the adoption of this legislation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ross DePaola".

Ross DePaola



March 4, 2008

Senator Jeff Plale  
Chairman, Senate Committee on Commerce, Utilities and Rail  
Room 313 South, State Capitol  
Madison, WI 53708

Dear Senator Plale:

I urge you to support a favorable vote on SB 544 (a bill to standardize permitting for wind energy projects), and to vote this bill out of committee.

If we are to have any kind of reasonable standard of living in the future, we **MUST** support alternative energy projects (as well as efficiency measures). Wind and solar projects mean jobs for Wisconsin. Because these facilities are local, this means local jobs.

However, the permitting process for wind projects is seriously broken. SB 544 addresses the problems encountered by businesses attempting to install wind turbines. It would create uniform standards through out the state. All stake-holders have had a say in crafting this bill. It is a reasonable compromise.

I want my children to have a future. Please support wind energy by supporting uniform permitting standards for wind projects.

Sincerely  
Judy Skog  
626 Orchard Dr.  
Madison, WI 53711





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## Wisconsin Interfaith Climate & Energy Campaign

March 4, 2008

Senator Jeff Plale  
Chairman, Senate Committee on Commerce, Utilities and Rail  
Room 313 South, State Capitol  
Madison, WI 53708

Representative Phil Montgomery  
Chairman, Assembly Committee on Energy and Utilities  
Room 129 West, State Capitol  
Madison, WI 53708

The Wisconsin Interfaith Climate and Energy Campaign supports legislation to reform the current process for siting and permitting wind developments in Wisconsin. Wind power is an essential source of clean, safe and affordable renewable energy for Wisconsin that will bolster our economy while also reducing global warming pollution.



March 4, 2008

Senator Jeff Plale  
Chairman, Senate Committee on Commerce, Utilities and Rail  
Room 313 South, State Capitol  
Madison, WI 53708

Representative Phil Montgomery  
Chairman, Assembly Committee on Energy and Utilities  
Room 129 West, State Capitol  
Madison, WI 53708

Senator Plale and Rep. Montgomery,

Please support the creation of wind farms in the state of Wisconsin, we need to end as much of our dependency on foreign oil and coal fired power-plants as possible. We MUST come up with alternative energy sources, and we cannot let 1 or 2 communities who oppose these more viable sources run rough-shot over the rest of us.

Cindy Carter, Appleton, WI



March 4, 2008

Senator Jeff Plale  
Chairman, Senate Committee on Commerce, Utilities and Rail  
Room 313 South, State Capitol  
Madison, WI 53708

Representative Phil Montgomery  
Chairman, Assembly Committee on Energy and Utilities  
Room 129 West, State Capitol  
Madison, WI 53708

Dear Senator Pale and Representative Montgomery,

Wisconsin home and business owners deserve the right to generate their own electricity from renewable resources. Wind is an important option for many of these Wisconsinites and there should be reasonable and realistic limitations on their right to use wind as a resource. There is a small amount of noise produced by wind turbines similar in intensity to the background noise of the wind. The noise from a wind generator pales in comparison to the noise produced by automobiles, lawn mowers, snowmobiles, leaf blowers, generators and many of the other "background" noises that we live with today. Unless we selectively listen for the noise of a wind turbine it will be in most cases, completely mollified by these other background noises. Wind turbines also have a small impact on wildlife, particularly birds. Once again though, a wind turbines impact on bird life pales in comparison to the number of deaths caused by domesticated cats, our automobiles, or especially the damage caused by coal power plants belching noxious fumes. Please help Wisconsin property owners keep the right to develop their own wind energy resources by keeping their limitations realistic and reasonable.

Thank you,

Richard & Kimberly Stephens  
1459 County Road F  
Hollandale, WI 53544  
608-967-2191  
[stephens@mhtc.net](mailto:stephens@mhtc.net)



# *Craig P. Murphy*

March 5, 2008

Senator Jeff Plale  
Chairman, Senate Committee on Commerce, Utilities and Rail  
Room 313 South, State Capitol  
Madison, WI 53708

Representative Phil Montgomery  
Chairman, Assembly Committee on Energy and Utilities  
Room 129 West, State Capitol  
Madison, WI 53708

**Re.: AB 899 & SB544**

Gentlemen,

As a professional with over thirty years of experience in the power generation and renewable energy industries I have taken an interest in the current discussions regarding the development of wind power in Wisconsin. I offer the following comments, based on my experience and observations, for your consideration.

The social and economic value of renewable energy in general, and wind power in particular, can not be argued. In Minnesota, for example, several thousand rural land owners are benefitting from payments received for hosting wind turbine installations, and happily paying taxes on that income. Increasingly, adjoining landowners, not hosting turbine installations, are being included in the revenue distributions from wind power projects. Local governments are also benefitting from increased tax revenue, payments in lieu of taxes, and other consideration paid by the developers and owners of wind generation projects. It is likely that every elected official with wind power experience will confirm the economic and social benefits of wind power development in his or her jurisdiction. National security is another part of the discussion, and wind power, by way of its role in reducing energy imports, is a contributor here as well.

With rules as the now stand, Wisconsin will be unable to realize the broad public benefit that wind power development could bring to the state. The wind power development process is lengthy and expensive. Having been responsible for several hundred megawatts of power development, including wind, I am confident in stating that very few developers are willing to proceed in an uncertain regulatory environment. Presently, Wisconsin's wind power permitting regulations are not reasonable, and in fact are working against the public good.

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Sen. Plale, Rep. Montgomery

While wind power developers and land owners must have a right to appeal local decisions when decisions are deemed contrary to rules and applicable process, the PSC must be empowered to pre-empt permitting decisions rendered by local jurisdictions where those decisions can not be supported by scientific evidence or court tested precedent. A proper PSC open rule making process can not be objectionable to any reasonable party, including those with valid position opposing wind power development. Moreover, local jurisdictions and landowners must have an equal right to remedy by way of the appeal process.

With well designed and uniformly applied rules and processes, and a uniform right to appeal, wind power (and other renewable energy) developers, regulators, and elected officials all will be able to make the decisions that are best for Wisconsin's citizens, present and future.

AB 899 and SB 544 appear to substantially address the above issues and reflect the insight and diverse experience and views of all who contributed to the discussion and drafting process. The adoption of this legislation will allow Wisconsin to realize the broad benefits that will come from the state's increasing role in energy self sufficiency and resulting environmental benefits and economic growth.

Yours truly,

*/s/ Craig P. Murphy*

Craig P. Murphy