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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2009-10

(session year)

Assembly

(Assembly, Senate or Joint)

Special Committee on Clean Energy Jobs...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

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

* Contents organized for archiving by: Stefanie Rose (LRB) (December 2012)

Jesse Wade Charles, M.D. Candidate

AB 649

Dear Representative,

On the outside this bill may be about climate change, but what it's really about is creating a stable, clean foundation for the future physical and economic health of our people.

I'm a medical student here at the UW. One thing we've learned is that one of the strongest determinants of a community's health is their economic status. Therefore, as a future guardian of the health of the people of Wisconsin, I must be concerned with the economic health of this state.

I grew up in Rep. Soletski's district. Every time I drive home and see the barges unloading piles of coal, I can't help but see mountains of money being packed onto those barges and shipped out of state. You see the vast majority of our energy comes from coal, yet we have none in Wisconsin. That means that everyday millions of our energy dollars leave the state.

Every dollar spent on coal is a dollar that leaves our economy. It's a dollar that could be going to local energy sources such as the wind turbines in Door County. Every dollar that goes toward them means money in the pocket of the farmer whose land it's on, possibly making the difference between the survival or failure his farm.

Think of the factory jobs needed to construct the windmills; the railroad and trucking jobs needed to ship them; the steel working jobs to install them; and the technician jobs needed to maintain them.

Every dollar not spent on coal means money in each of their back pockets.

However, opponents of this bill will say that, local energy is all fine and dandy, but coal is cheaper, and we don't want to increase costs for our people. Now, that would be a good argument, if it held any water.

There are two main reasons coal is bad horse to bet on:

The first is that **China's economy is booming**, and with it their appetite for coal. In the past 4 years China has gone from being a net exporter of coal to a net importer. Their consumption has increased 254% since 2000. With their rapidly increasing consumption of coal driving up global demand, coal prices will rise substantially.

The second reason costs will increase is that **coal's price is tied to the cost of the diesel that's required to ship it**. From 2000 to 2007, the price of oil doubled, and with it the price of coal. Here in Wisconsin the price of our electricity rose

dramatically. The recession may have pushed prices back down, but China's economy is already booming again, and so is its demand for oil.

Surely, the future of coal-based electricity will be expensive.

If we haven't invested in alternative energy infrastructure before then, WI families and businesses will be forced to pay a premium for electricity that could be coming from cheaper, cleaner, and more local sources. Not to mention the fact that those states that secure a resilient, stable source of energy now will have cheaper energy in the future, and thus will be more attractive to businesses and manufacturers looking to relocate. Additionally, those states which make the transition to cleaner energy sources will have healthier, more productive populations, making them even more attractive to businesses.

Wisconsin residents deserve the opportunity to support their neighbors; we want, and deserve the opportunity to buy local energy. This bill gives us that opportunity. "It gives you the opportunity to tell your constituents "Today I voted for a bill that will grow our economy, create jobs, decrease energy prices, and clean up our air". I ask that you take that opportunity.

I ask that you support a Strong Clean Energy bill.

Jesse Wade Charles



MD Candidate

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As for the statistics I've mentioned, they're not from some environmental group. They're from Peabody Energy, one of the worlds largest coal companies. I've given you each a copy of their 2009 Investor's Guide. They're letting investors know that coal's going to get really valuable, so they should invest now. However when it comes to clean energy bills, they tell us that coal is cheap and abundant, so that we'll continue building coal plants. In doing so, we'll be hooked on their product. Meanwhile they're going around signing contracts with every Chinese and Indian company they can find, hoping to drive up the demand (and price) of their product. They're two-timing us, and they're doing a heck of a job of it. But with this bill we have the opportunity to tell them to take a hike, to keep our energy dollars at home, employing our neighbors, keeping our air clean and our energy bills low.



Peabody **Essential**

**2009 FBR
Capital Markets
Investor
Conference**

December 1, 2009

*Rick Navarre
President
Peabody Energy
NYSE: BTU*

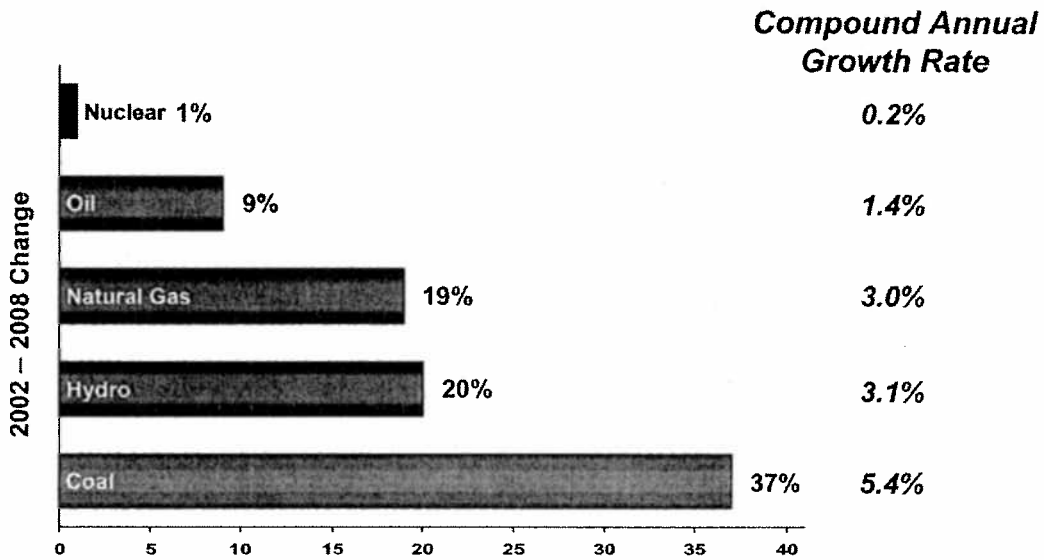
Peabody

**Asia-Pacific Region:
Leading Economic Recovery
and Global Coal Demand**

Coal: The World's Fastest Growing Fuel Six Successive Years

Peabody

Change in Global Energy Consumption



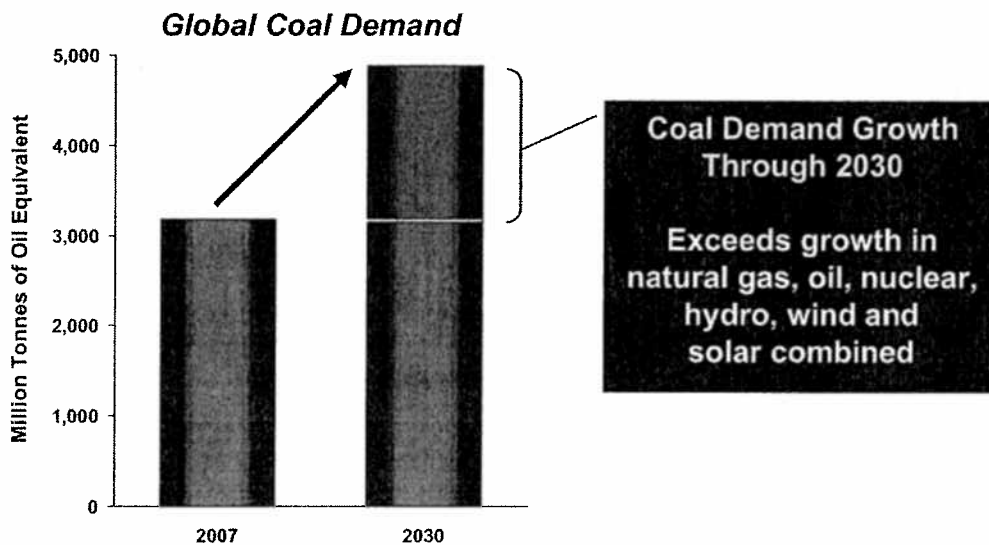
Source: BP Statistical Review of World Energy, June 2009.

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Coal Demand Will Continue To Outpace Other Fuel Sources

Peabody

Global Coal Use Estimated to Grow 53% by 2030



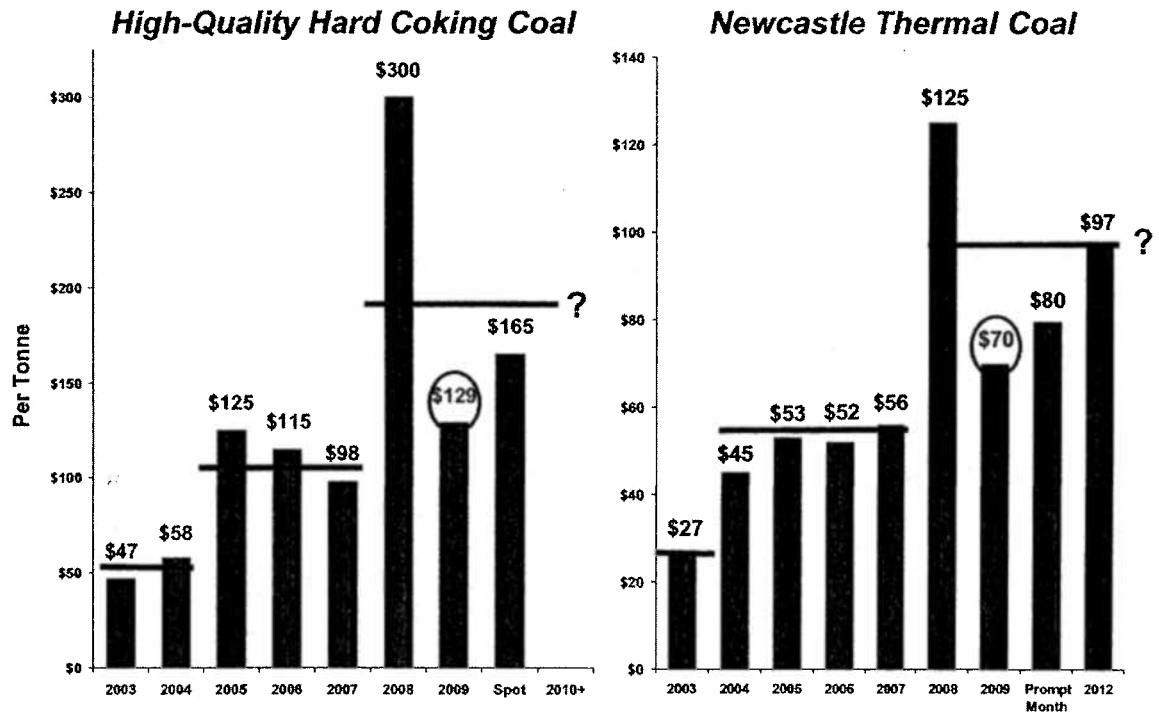
Source: International Energy Agency, World Energy Outlook 2009.

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Pacific Met and Thermal Coal Prices Rebase at Higher Levels

Peabody

Current Spot Higher than Benchmark

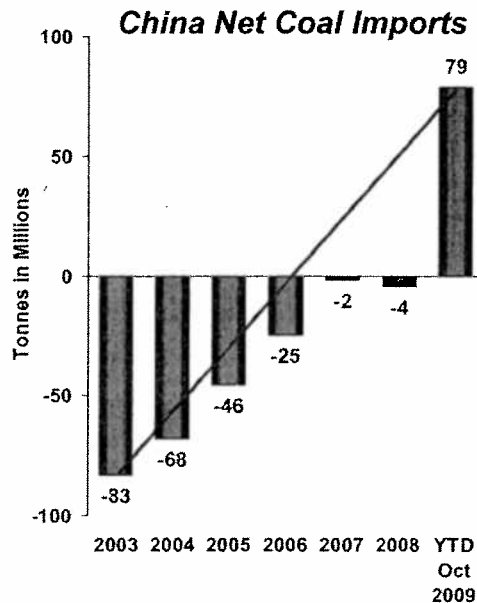


Source: Third party broker data. Pricing as of November 10, 2009.

China Leading the Pacific Market Recovery

Peabody

Dramatic Shift to Net Imports Since 2003



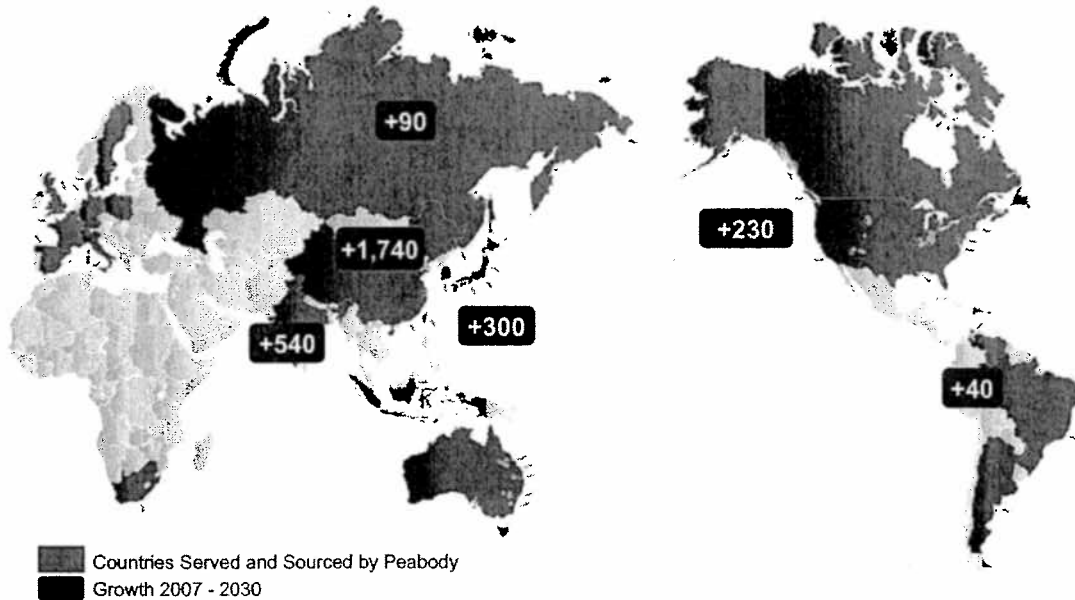
- YTD imports up 171%, exports down 50%
- 79 MT net importer YTD; 160+ million tonne shift since 2003
- Structurally short of met coal
- Securing long-term thermal and met coal assets
- Australia the largest coal supplier to China YTD

Source: International Energy Agency, World Energy Outlook 2008; industry reports.

Asia Represents 90% of Nearly 3 Billion Ton Long-Term Global Demand Growth

Peabody

Growth in Coal Demand (Tons in Millions) Through 2030

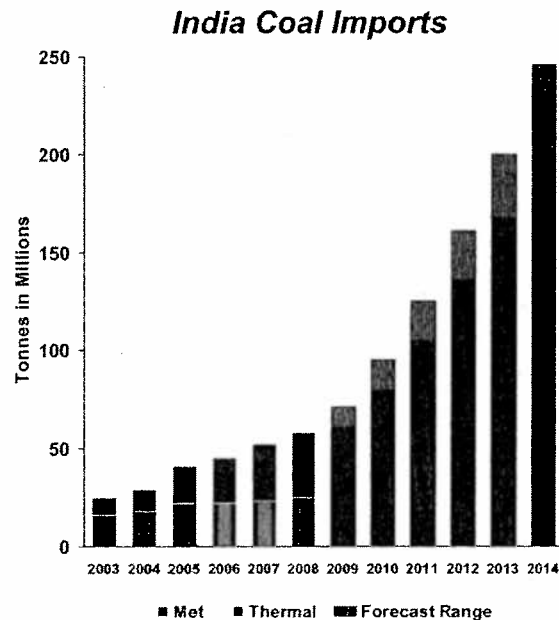


Source: World Energy Outlook 2009, International Energy Agency; Annual Energy Outlook Forecasts.

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India Likely to be World's Fastest Growing Coal Importer

Peabody



- Up to 200 MTPA importer within five years
- Coal generation up 6.8% YTD
- Inventories less than 50% of target levels
- Targeting 13 GW of new coal-based plants per year

Source: International Energy Agency, World Energy Outlook 2008; Industry reports and Peabody analysis.

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Joel Charles M.D. Candidate, UW School of Medicine and Public Health

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Committee Hearing on AB 649- Feb. 2nd, 2010

Using coal for electricity harms the health of Wisconsinites:

Coal contributes to four of the five leading causes of death in the United States: Heart disease, cancer, stroke, and lower respiratory disease

The **average external cost** of using coal is **3.2 cents/kWh**, making its total cost more expensive than wind, and its external costs alone more expensive than providing equivalent capacity through energy efficiency.

Nationally this creates **\$62 billion/year in external costs**, mostly through health problems caused by air pollution

Wisconsin's energy markets currently have no way to take these costs into account.

Health Impact Assessments can monetize these health externalities, positive or negative, which then need to be factored in to the projected true cost of an energy project.

Public Service Commissions need to have access to this information and use it in order to accurately select the cheapest, healthiest way to provide electricity to Wisconsinites, both when deciding on new projects, and deciding whether to add scrubbers to an old plant or replace it with energy efficiency or renewables.

Other states, in particular Arizona, already have such programs in place.

What policy do I suggest?

A Feed-in tariff combined with aggressive energy efficiency programs provides a cost-effective way to transition to a healthier electricity production system without increasing energy bills of the average ratepayer.

We often forget there are two ways to provide electricity in our system:

- 1) Build new power generating stations *or*
- 2) Decrease demand through efficiency

Energy efficiency is generally **the cheapest and most reliable way to free up generating capacity in our system**. It can significantly decrease the bottom line of our government, businesses, and families.

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A recent study showed Wisconsin, through aggressive energy efficiency measures, has the **potential to meet baseline utility growth and produce a net reduction of emissions** from 0.5% per year to 1% per year. We can do this all cost-effectively.

The most effective action we can take is to create incentives so that our utilities make money by increasing energy efficiency, and combine this with a feed-in tariff to de-incentivize the use of fuels which harm the health of Wisconsinites.

Key Resources:

Health Resources

“Coal’s Assault on Human Health” Physicians for Social Responsibility, 2009.

<http://www.psr.org/resources/coals-assault-on-human-health.html>

“Hidden Costs of Energy: Unpriced Consequences of Energy Production and Use” National Academy of Sciences. 2009.

<http://www8.nationalacademies.org/onpinews/newsitem.aspx?RecordID=12794>

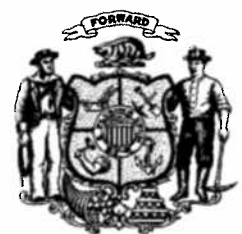
“Dirty Air Dirty Power: Mortality and Health Damage Due to Air Pollution from Power Plants” Clean Air Task Force. 2004.

Energy Efficiency Resources:

“Energy Efficiency Resource Potential in Midwest: A Review and Analysis of Existing Studies”, Energy Center of Wisconsin. 2009.



WISCONSIN STATE LEGISLATURE



Memorandum

TO: The Senate and Assembly Select Committees on Clean Energy

FR: The Coalition for Clean Energy:

Wisconsin Council of Churches

Citizens Utility Board

Clean Wisconsin

Wisconsin Community Action Program (WisCAP)

League of Women Voters of Wisconsin

Environmental Law & Policy Center

Wisconsin Environment

Midwest Environmental Advocates

Physicians for Social Responsibility

Sierra Club, John Muir Chapter

Wisconsin League of Conservation Voters

RE: Priorities for improvements to the CEJA (SB 450 and AB 649)

We want to again thank Senators Miller and Plale and Representatives Black and Soletski for all their hard and diligent work over the past year to complete this historic bill draft that has the potential to create thousands of clean energy jobs, lower energy bills for home owners and businesses and begin to make significant intentional reductions of greenhouse gases.

We want to make sure that you understand our priorities for both improving this bill draft and for protecting the many important policies embodied in this draft.

First and foremost, we want to convey the context in which we view these priorities for potential changes to the draft going forward. In our view the draft already reflects a significant compromise from the Global Warming Task Force (GWTF) recommendations. The most

important example of this compromise is the lack of any directive to regulate greenhouse gas (GHG) emissions. While we can all agree that it is critical for Congress to adopt comprehensive GHG regulations the GWTF recommendations clearly call on Wisconsin to “provide leadership in the development of a Midwest cap and trade program.” Yet the draft does not include any directive to the state to take steps toward participating in such a regional regulatory program.

Nonetheless, the draft is very comprehensive in its promotion of clean energy technologies and a critical step towards making the GHG emission reductions recommended by the GWTF. In order to make even half the reductions recommended, and in order to maximize the job creation and economic recovery benefits of the legislation, we respectfully offer the following priorities for strengthening the bill draft:

1. Restore and protect the integrity of the Renewable Energy Standard (RES) (Renewable Portfolio Standard – RPS – in the current draft). The draft has at least four obvious compromises to the definition of the RES already. We hope to eliminate the most egregious and unnecessary of these (e.g. thermal output from coal-fired cogeneration facilities, burning of municipal solid waste, geothermal), and obviously place the highest priority on not weakening that definition further (e.g. allowing any more efficiency to count towards the RES).
2. Strengthening the language to ensure that Wisconsin does meet the 2 percent energy efficiency goal by **requiring** the Public Service Commission to direct efficiency investments necessary to reach that 2 percent goal. This is also consistent with what the GWTF recommended.
3. Increase the percentage of renewable energy that must be sited in Wisconsin to at least half of renewable energy generation required under the bill (i.e. 12.5% in 2025). This is extremely important in making sure that this legislation really does create as many clean energy jobs as possible, and is especially helpful in promoting good-paying, component manufacturing jobs in Wisconsin.
4. Give state agencies more directive, and stakeholders more certainty, in developing a low-carbon fuel standard (LCFS) by including the specific standard, or target, or reducing carbon in our fuels by 10 percent by 2020 (as the GWTF recommended); and remove the requirement that a majority of the Midwest Governors need to approve the Midwest Governor’s Model LCFS rule when it is developed. Both of these changes are consistent with what the GWTF recommended.
5. Ensure that those most vulnerable in our society are protected by including provisions which protect Wisconsin’s low-income public benefits program from any future funding ‘raids’ and make whole its commitment to energy self-sufficiency for low-income households, particularly in rural areas, by expanding the bill’s provisions to include LP gas and heating oil users in energy efficiency programs to also include low-income programs.

6. Implement the Transportation Workgroup recommendation that WisDOT grant financial assistance to communities that are implementing walkable, compact community design standards.
7. Inclusion of additional task force recommendations related to land-based activities (Forestry and Agriculture) that result in carbon sequestration (storage) and/or reduced GHG emissions.
8. Strengthen the Advanced Renewable Tariffs (ART) language by making it apply statewide – giving all consumers the opportunity to develop renewable resources – and by including a statewide minimum MW cap and a minimum project size cap.
9. Include labor standards and local hire requirements for the RES, ARTS, and certain energy efficiency policies as well as job training programs and investments consistent with the GWTF recommendations. This is critical to maximizing the number of good quality, family-supporting jobs created by this legislation.

Additionally, the bill misses the opportunity to implement the following GWTF recommendations that we feel should have been included:

1. Enhanced water efficiency and conservation
2. Recovery of untreated wood wastes
3. Enhanced statewide recycling
4. Reduce landfilling of food wastes
5. Forest Legacy Program

Thank you for your time and consideration of these important policies, and we look forward to working with you to make this the strongest legislation possible for Wisconsin.



I'm Ray Davy and I'm President of Agri-Waste Energy. Agri-Waste Energy is the developer of a project in St. Croix County, The **Western Wisconsin Renewable Natural Gas Dairy Basin Project**. Phase I of the project was started in 2004. We are now in Phase II of the project. For a project overview you may go to our website www.agriwasteenergy.com, select Current Projects, then WWP overview.

Briefly, our project involves the construction of digesters on two large dairies, the construction of a gathering pipeline to bring raw biogas to a processing facility where the biogas will be processed, or "cleaned", to pipeline specifications, and injected into an interstate pipeline. The "cleaned biogas", or Renewable Natural Gas (RNG), can be delivered by pipeline to an electric utility that wishes to use it for electricity generation as part of a Renewable Portfolio Standard requirement. Attached is a St. Croix County map showing the location of the dairies, gathering pipeline, and interconnect to the Northern Natural Gas interstate pipeline system.

The Enhanced Renewable Portfolio Standards (E-RPS) provisions of the Clean Energy Jobs Act are very important to RNG projects like ours in St. Croix County, as well as to potential projects in rural communities throughout Wisconsin.

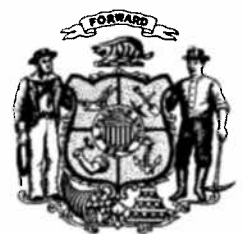
While our project utilizes dairy waste from two large dairies, it has the potential to add dairy waste from smaller dairies along the pipeline route. The Village of Baldwin wastewater treatment plant is also on the pipeline route and could be a potential biogas source. And, the project will use waste streams from local cheese factories as a "co-digestion" material.

This Business Model or "Biogas Basin Concept" can be used as an economic development and jobs creation tool for rural Wisconsin communities. As shown on the attached handout, this business model incorporates waste streams from agricultural sources, municipal waste facilities, landfills, and food processing plants. It's important to emphasize that the "Biogas Basin Concept" makes it feasible for smaller (100 cow) dairies to have a digester and hook into the biogas pipeline.

By creating an expanding market for Renewable Natural Gas, the Clean Energy Jobs Act can lead to the use of existing waste streams to provide more renewable fuel sources for Wisconsin's utilities while also creating jobs in rural Wisconsin.



WISCONSIN STATE LEGISLATURE



Testimony for Elizabeth Day in support of Wisconsin's Clean Energy Jobs Act

My name is Elizabeth Day, 6429 Maywood Ave, Middleton, Wisconsin.

I am in support of legislation that creates opportunities to develop more clean energy jobs in Wisconsin. As an owner of Natural Resources Consulting, Inc., a 12 year old Wisconsin firm based in Cottage Grove, I have seen tangible benefits of renewable energy development in our state, as measured by our workforce growth and increased market share over the last 6 years, during which time NRC has worked on 20 wind energy projects in our State. NRC is also an active member of The New North initiative as well as a supporter of RENEW Wisconsin. Passage of pending legislation establishing Advanced Renewable Tariffs and expanding the Renewable Portfolio Standard to 25% by 2025, combined with effective standardization of the permitting process that is currently underway, will substantially improve the climate for clean energy-related jobs creation in Wisconsin.

With the exception of last year when credit was tight, since 2006 we have seen a steady increase in development of Wisconsin's wind resources by utilities as well as developers from Wisconsin and out of State, as far away as Texas and California. As a result we have grown our wind services business, which has enabled us to retain good employees during depressed economic times. Just within our small business alone, we have added almost 30 jobs since 2006 – almost doubling the size of our workforce, and have opened offices in other regions of the State as well as Iowa and Colorado. In the last two months alone, we have filled an additional 5 and a half positions in Wisconsin, all of which will be working on renewable energy or renewable energy delivery projects.

Many of our staff are scientists educated at the University of Wisconsin system. We provide excellent full-time jobs with very good salary and benefit packages. Continued development of clean energy in Wisconsin will allow our company to continue to contribute to the future growth of renewable-related job opportunities in Wisconsin.

END



Hello, I am Michael Hastings, and I am a founder of Half Moon Power, a Wisconsin-based renewable energy developer. My background is neither in energy or environmental work. It is in China – I began my studies of Chinese in 1989, just following the Tiananmen Square incident, a time of great turmoil in a country that had the raw ingredients to become an extremely powerful rival. During my time there in investment banking with Morgan Stanley, we brought many commodity businesses public, some of which are becoming household names now such as Sinopec and CHALCO. These companies are competing for finite resources directly with America, and are driving the global markets for raw materials.

I am concerned about America and its ability to not just compete, but also survive economically. And I have a desire to see small business in Wisconsin flourish, particularly in new industries such as renewable energy.

I see a similar growth opportunity in energy infrastructure as I saw in the macro Chinese economy. For the first time in a long while the United States, and in particular the Midwest, could be the focal point for growth worldwide. As many of you know, it has the raw ingredients needed to lead the wind energy space. We're in a tough spot economically these days, and it's understandable that there

is a desire to retreat for familiar ground. However, new industry development and small business growth is never easy; it is always uncertain and risky. But a greater risk and uncertainty for us is to avoid taking the bold move of securing our energy future.

My business is wind energy development. I see the benefits of an enhanced RPS as a good thing not just for the wind industry and energy diversity nationwide, but also as a good thing for business growth in Wisconsin. Wisconsin and the businesses it supports are falling behind quickly in the next massive wave and catalyst for economic growth. Whether or not you believe in the benefits of wind power, others around the globe do. In fact, billions of dollars from Europe and elsewhere in the world are looking to invest in renewable energy over the next 20 years in the Upper Midwest and primarily in wind energy. My question is, will Wisconsin be seeking that capital, or will it shun this investment and potential lifeline for jobs creation over the next 10 years.

As a Wisconsin-based wind farm developer, we ironically have found more success in the neighboring states of Michigan and Minnesota. In the case of Michigan, it was the last Midwestern state to adopt an RPS, but it has a unique twist to its RPS that has stimulated incredible activity statewide in this dour

economy. Their RPS is completely in-state, which necessitates hundreds of MW and hundreds of millions of dollars of capital investment directly into its own economy, not its neighbor states.

Many who oppose a Renewable Portfolio Standard, say wind farms don't create jobs. They certainly do create jobs. Wind farms have distinct life cycles which create employment opportunities for a broad range of people. During the 5 year predevelopment period, we employ countless consultants, vendors, attorneys, accountants to bring the project to the point of construction, all the while paying landowners thousands of dollars per year.

During the construction phase, millions in supply contracts are awarded to local gravel and concrete suppliers. Hundreds are involved in the physical construction, and local participation is favored. During operation, wind farms are lean and mean – but they do employ as many as 15 highly skilled and local people to provide maintenance for the facility.

Throughout the life cycle, the entire townships derive economic benefits, not just our landowner hosts. The townships gain reliable revenues from these assets, and local businesses are positively impacted as a result. The velocity of money increases as revenues are deposited into local banks which in turn loan out more

capital to business. In the long run, other states have demonstrated that manufacturing facilities will follow their market – just look at Iowa and now Michigan, a leader and a new up-and-comer in the Midwestern wind-related manufacturing business.

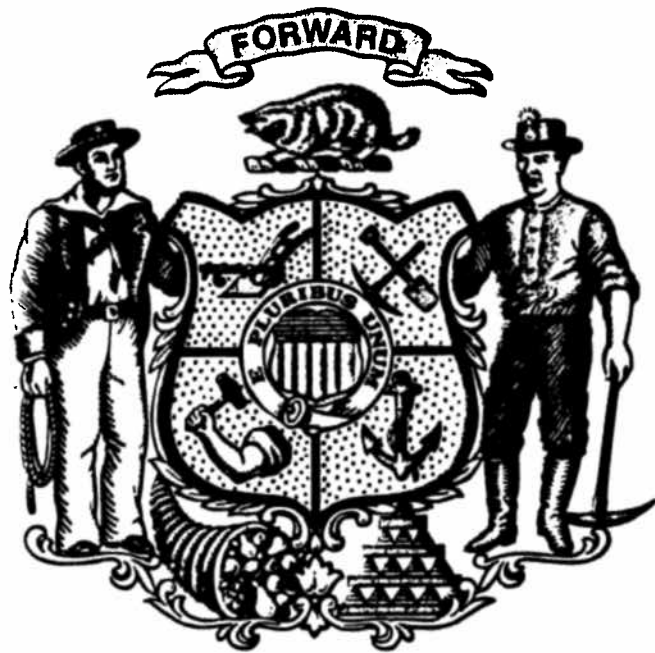
Wind energy is not the only solution to our energy needs, but it will make a meaningful contribution. If we start today, the earliest possible completion date for a wind project is about 4 years. What we do know is that commodities are a finite supply in a world of continued growth. Energy demand is still forecast to jump in the coming decades, and Wisconsin needs to have the foresight to make clean and naturally-occurring wind power a healthy part of its energy mix.

I don't know exactly what percent of our mix should be for renewables, but today we only have a handful of projects in the ground here. Most would agree that the transmission infrastructure can handle much more wind without significant balancing issues.

Another lesson from China is one of technology diffusion. As technology is commoditized, prices come down rapidly. We need not look further than flat panel TVs and computers to understand what happens to a product's price during its life cycle. When wind turbine manufacturing reaches that point, wind will be

ever cheaper and even more competitive than today, since there are no variable raw material costs involved.

I firmly believe that this is a great opportunity to create another economic cluster for entrepreneurs in Wisconsin. Our leadership is in a position to help facilitate this growth by enhancing the state's RPS and I fully support it. Thank you.



MARK R. HONADEL

STATE REPRESENTATIVE • 21ST ASSEMBLY DISTRICT

Climate Change Proposal Based on Ideology, Not Reality

Now that Democrats have proposed new climate change legislation, I can contain myself no longer. While everyone supports new technologies and the jobs they will create in the field of renewable energy sources, this proposal will deliver a blow to Wisconsin industries in the form of skyrocketing energy costs.

I support Wisconsin's current 10% renewable energy standard that seeks to make our state more energy efficient through a variety of energy sources, but does not harm our economy. While man's ability to control the entire climate is questionable, we can however assert control over our economy. In times like these, the focus should be getting people back to work and producing great products through farming and industry.

Let us not forget that energy means a free society and fuels a robust economy. If you don't believe me, visit countries that are cannot meet their energy demands. Energy is one of the major technologies that makes America great and sustains good jobs.

The mandates in this bill will only add to the burdens on struggling businesses. This bill even begins to prepare the Department of Natural Resources for possible federal "cap and trade" regulation, which has the potential to become a lucrative taxation scheme that could ruin our economy and cause increased costs of goods and services for consumers.

It does not have to be that way. We can encourage and grow new energy technologies and green jobs without sacrificing existing jobs, without raising taxes, and without more government mandates. We are already doing just that and must continue doing so.

Rep. Honadel represents the 21st Assembly District, which includes South Milwaukee, Oak Creek, and a portion of the City of Milwaukee.

###

Working For You!

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Advocates for Creating Renewable Energy

Dear Legislator,

Investing in renewable energy projects in Wisconsin, as provided by the Clean Energy Jobs Act (SB 450/AB 649), will produce many new employment opportunities in the state, including for labor union members. Here are just a few examples provided by members of ACRE (Advocates for Creating Renewable Energy):

-The Operating Engineers erected 88 turbines for the Blue Sky Green Field Wind Farm in Fond du Lac County, which at 145 MW is Wisconsin's largest wind energy installation. Boldt Construction Company, which uses almost all union labor, was the general contractor for the project, which included more than 400,000 labor hours.

-Boldt Construction Company also provided labor at the Cedar Ridge Wind Farm in Fond du Lac County in 2008. The project encompasses 41 turbines, totaling 68 MW of generating capacity.

-Boldt will also serve as general contractor for the construction of a 50 MW biomass plant at Domtar Corporation's Rothschild paper mill site. The project is expected to create approximately 400 construction jobs and 150 permanent jobs in the surrounding community.

-H&H Solar Energy Services, Inc. and H&H Electric are IBEW and Plumbers Local 75 affiliated contractors. H&H Solar is the largest PV installer in Wisconsin and among the top solar hot water installers as well. All installers are certified union master or journeymen electricians and plumbers. Sister companies H&H Electric and H&H Industries are both union shops.

-Johnson Controls, Inc. uses union labor on renewable energy projects, including a 250 kW photovoltaic system in Glendale and a 650 kW PV system at the Milwaukee Area Technical College this year. JCI is developing a PV system which will use IBEW electricians who need to perform two installations before they can sit for the NABCEP certification test.

-The Forward Wind Energy Center in Fond du Lac and Dodge Counties has a combined generating capacity of 129 MW. Michels Construction, which uses union labor, was the general contractor for the project.

-Northern Power Systems hired Westphal Electric, an IBEW contractor out of Madison, to install a wind turbine at the Madison Area Technical College campus in Fort Atkinson. Northern Power Systems includes employees who are active IBEW members.

-Renewegy, a company based in Oshkosh, is active in wind technology and development, including recent wind turbine installations for SCA Tissue in Menasha. Renewegy has partnered with various construction companies which use union labor.

-Clear Horizons out of Milwaukee has used union labor contractors, including Middleton Construction, Ideal Plumbing, Heating & AC, and Pieper Electric.

-Pieper Electric is a union electrical contractor headquartered in Milwaukee. It employs electricians from IBEW Locals 388, 494, 159, 890, and 127. Pieper has done at least nine solar installations totaling almost 200 kW of capacity, in addition to projects for 100 kW of wind energy.

-Procorp Enterprises, an engineering firm that develops anaerobic digestion projects for wastewater treatment facilities, is also based in Milwaukee. It has used union labor contractors on its projects.

-Convergence Energy, a full-service provider of solar energy products, is based in Lake Geneva. They used union electricians for a solar tracker installation for Gateway Technical College in Kenosha.

-Wave Wind will use union labor for a wind energy project in Dane County.

-Lake Michigan Wind and Sun in Sturgeon Bay has trained union apprentices in solar work in conjunction with WPS and NWTC. They have used IBEW Local 103 and Eland Electric, a union shop in Green Bay, for PV projects. Eland Electric is now in the solar business.

As we see the growth of renewable energy in Wisconsin, it is encouraging to see how this industry has delivered family-supporting wages as seen in these past, current, and future projects. As illustrated by these examples, union labor will play a significant role in the development of renewable energy in Wisconsin and will benefit greatly from the passage of the Clean Energy Jobs Act.

Sincerely,



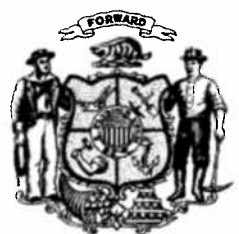
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WISCONSIN STATE LEGISLATURE





JIM OTT

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Testimony on Assembly Hearing on AB 649

Good Morning Chairmen Black and Soletski and committee members. Thank you for giving me the opportunity to testify at today's hearing on the Clean Energy Jobs Act.

I appreciate the fact that the authors and others put a lot of work into writing this bill, as did the authors of the Global Warming Task Force Report. In fact, the bill is so closely related to the Task Force Report that it's hard to understand why the bill is being marketed as the Clean Energy Jobs Act. Or maybe it isn't that hard to understand.

Usually when a bill is misnamed it's because the bill's supporters want to make it sound like something it really isn't, so they can gain even more support. What better sounding topics to gain support over than clean energy and jobs?

Unfortunately there never was a "Clean Energy Jobs Task Force." The bill is based on the recommendations of Governor Doyle's Global Warming Task Force. The main directive the Governor gave to the Task Force was to come up with strategies to "...make Wisconsin a leader in implementation of global warming solutions..." If that's the basis of the bill, then why isn't it called the global warming bill?

So why misname it? Perhaps one reason is that there hasn't been much global warming to fight lately. Global temperatures have not gone up in over a decade, and seem to be trending downward in the last few years. All of the weather headlines in Wisconsin-and much of the Northern Hemisphere-have been about the cold and snow lately.

There may be another reason to misname this bill. At last week's Senate hearing Senator Miller asked me what would happen if the climate scientists who are predicting much warmer conditions 40 or 50 years from now are right. Won't it be too late to do anything about it?

Well aren't some of these the same climate scientists who have been caught manipulating data, making large errors, interfering with the peer review process and deleting colder weather stations from the data to make things look warmer? Isn't this questionable behavior a contributor to the so called consensus the Governor told the Task Force to take into account when writing their report? Investigations are still going on and new revelations of shoddy, incomplete or just plain dishonest science among man-made global warming proponents have been coming out on an almost daily basis.

As far as the predictions of catastrophic overheating in the next 40 or 50 years, these are the same scientists whose computer models, just ten years ago predicted it would be much warmer right now than it really is.

If the Nobel Prize Committee wants to give their awards away to people who incorrectly said Hurricane Katrina was caused by global warming or who file error filled reports like the International Panel on Climate Change that's fine. I am not willing to sit idly by and watch Wisconsin's economic future put in jeopardy based on the multi-decade predictions of scientists who cannot tell us what the climate will be like just ten years from now.

The fact is the mandates of this bill will cause energy prices to skyrocket in Wisconsin. If wind and solar were more economical the utilities would be voluntarily turning to them. A spokesman for the Wisconsin Industrial Energy Group was quoted as saying the current renewable mandate was already putting upward pressure on electric rates in Wisconsin. A spokesman for WE Energies estimates that the \$413 million costs of the Glacier Hills wind farm would be included in rates beginning in 2012. And where will the \$250 million needed to convert the power plant on the UW campus to biomass come from?

Of course the Global Warming Task Force didn't have to worry about that, since the directive from the Governor was to not bother doing a cost/benefit analysis.

As far as this bill being a jobs act, how will implementing California emission standards produce jobs in Wisconsin? How will prohibiting truck drivers from idling their engines for more than five minutes create jobs? How will prohibiting the sale of television sets that draw more than three watts of power on standby create jobs? And how will creating a "Climate Change Coordinating Council" produce anything other than taxpayer supported DNR jobs?

And finally, what if the Beacon Hill Institute is correct, and implementation of the mandates in this bill causes Wisconsin to lose thousands of jobs? Any legislator who is willing to vote for this bill better be ready to explain this to your unemployed constituents.

Regardless of the number of jobs lost, the fact is if the state is going to mandate dramatically higher energy prices manufacturers will either have to dramatically raise their prices, or absorb the costs by cutting jobs. Any "green jobs" created by the mandates in this bill will be more than offset by the thousands of lost jobs in the private sector.

If the Legislature is interested in creating jobs and keeping energy affordable we should repeal the nuclear moratorium immediately, make our state's tax structure more business friendly and develop a sensible energy policy that will carry us into the future.

I urge committee members to vote against this bill.

Thank you,

Jim Ott
State Representative
23rd Assembly District



Joe Ray

I am a retired school district administrator, with 30 plus years of school district facilities and safety coordinator experience. I continue as a columnist for the Wisconsin Association of School Board member's magazine Wisconsin School News since 1996. I write about K12 public school district facilities and safety issues. My web site is available for your review at www.publicschoolfacilities.com I have a four year degree in resource management, and Industrial management experience and I am a USN veteran.

The topic of cap and trade, global warming issues have short and long term concerns. I ask this committee to use extreme caution about these issues. For example I list the following issues:

*** A 25% renewable energy portfolio with a net \$16.2 Billion cost increase by 2025 which will be paid by utility rate-payers.**

- **The loss of 43,093 private sector jobs. (Wisconsin has lost 163,000 jobs in the last year.)**
 - * A per capita loss of disposable income equal to \$1,012 per year.**
 - * A \$1.6 billion drop in gross wages.**
 - * If adopted, Wisconsin's motorists will have to follow California's emission standards meaning people in California whom we did not elect will determine the emissions standards for Wisconsin's drivers.**
- **Now let's take a look at our Wisconsin K12 public school facilities related cost issues.**

Fifty per cent of our 2048, plus K 12 multimillion dollar school building inventory exceeds an obsolete fifty years old. We have failed to maintain a modern level for these inefficient and obsolete school building mechanical systems, with the gains of professional engineering science over the last fifty years. These older schools are the major source of environmental deficiencies. In addition fifty per cent of our public school districts are one building, with a few two building districts with questionable resources to identify, and correct environmental problems, and other related health and safety issues. For Example:

Christine Clair School Board President La Crosse School District, testified to the following:

“We have 16 facilities, 10 elementary. 6 buildings are over 50 years old. We have three middle schools, the average age of our middle schools are 77 years old. We have two high schools. The youngest high school being 21 years old. The average building age total in our district is 52 years old. The average boiler age in our district is 37 years old and we have six boilers that are over 60 years old.”

Now consider the following:

Wisconsin's K-12 school administrators including District Superintendents (CEO), District Business Managers (CFO), School Principals, and Vice Principals are not

required to have formal instruction in the areas of School Facilities Administrative Oversight, and School Safety Administrative Oversight for their administrative license.

Now consider the annual budget cost of energy is traditionally the highest cost, second only to employee's wages salaries, and benefits.

In addition most if not all of our school districts do not track energy consumption for their schools. It remains unknown which school buildings are energy efficient, and which schools need to improve. When we want to know the efficiency of our cars we divide our mileage by the miles driven per tank. In other words if we do not measure it we are not managing it. In addition our professional educator administrators leaders from the school districts, through the DPI, continuing through the legislature, and to the governor have avoided transparency, and have avoided competition between school districts to reduce energy consumption for our entire K12 school building inventory.

What I am trying to say is this carrot and stick method, with heavy on the stick will not work for Wisconsin. This result will most likely be the same for small and large business, and the bottom line is we can not afford cap and trade, and as for "Global Warming" we do not have adequate and honest data driven information to confirm the requirements. The huge expense is not justified.

Joe Ray

From: "Fox Valley Initiative" <jimsteineke@gmail.com>
To: <facilitator@charter.net>
Sent: Monday, February 15, 2010 7:52 AM
Subject: Fox Valley Initiative - Wisconsin's Own Global Warming Bill

Fox Valley Initiative - Wisconsin's Own Global Warming Bill



Wisconsin's Own Global Warming Bill

Posted: 14 Feb 2010 08:41 PM PST

We need to take action on this and call our legislators today!! If you do not know their number, please find them by clicking here (and then save their contact info for later calls!):

<http://www.legis.wisconsin.gov/w3asp/waml/waml.aspx>

At a time in which the nation and our own state are hemorrhaging jobs and people are having a hard time making ends meet, our leaders in the Wisconsin State Legislature are considering bills that equate to economic suicide. These bills, AB 649 and SB 450, are the global warming bills that will enact strict regulations on energy that will lead to lost jobs and higher energy costs.

At the federal level, thanks in part to the election of Scott Brown as well as a few reasonable Democrats, President Obama's so-called "Cap & Trade" legislation is all but dead. Unfortunately, because of a lame duck in Governor Doyle and a tone deaf state legislature, it seems that Wisconsin will walk this plank alone and unilaterally disarm in the nationwide competition for new jobs.

Here are a few of the ramifications of this bill:

- * A 25% renewable energy portfolio with a net \$16.2 Billion cost increase by 2025 which will be paid by utility rate-payers.
- * The loss of 43,093 private sector jobs.
- * A per capita loss of disposable income equal to \$1,012 per year.
- * A \$1.6 billion drop in gross wages.

We are being governed by people that think spending over 1 billion dollars annually to generate electricity from cow manure is a good idea. This is only the tip of the global warming induced iceberg otherwise known as the "renewable energy jobs act". These bills were the results of Gov Doyle's Global Warming Task Force and are both currently under debate, Gov Doyle hopes to sign them into law at an earth day ceremony this spring. An extensive analysis of the bills have been conducted by the Beacon Hill Institute and the WI Public Policy Institute.

43,000 fewer private sector workers supporting 12,000 more government workers resulting in significant reductions in wages, disposable income, and investment. The full report is worth reading and can be seen here.

<http://www.wpri.org/Reports/Volume22/Vol22No7/Vol22No7.html>

While the economic impact of such legislation would be difficult for most of us to avoid, Gov Doyle showed no interest.

“The Task Force was not asked to evaluate whether the costs of addressing climate change will be greater or less than the benefits achieved. Many members of the Task Force believe that the costs of not addressing climate change substantially outweigh the costs of reducing GHG emissions. Several members of the Task Force disagree or would proceed on a slower track. Under Executive Order 191, the Task Force is not charged with resolving this debate.” This quote is taken from a statement by Todd Stuart, WI Industrial Energy Group. The full statement can be seen here and is also worth reading (at the very least, scroll down to the conclusion).

<http://wispolitics.com/index.iml?Article=184770>

Among other things the bills would adopt many of the California Air Resource Board (CARB) regulations which would substantially increase the cost of new vehicles, and would increase gas prices by as much as 60 cents per gallon. Enacting these restrictions would be economically insane at any time, but especially so when you consider that California is considering repeal of many of these standards because of the negative impacts.

Carbon dioxide levels would be required to be reduced to at least 75% less than 2005 levels by 2050, again without concern for economic impact.

The renewable mandate would increase to 25% by 2025. Most of the additional renewable energy required to meet this mandate would be imported either from wind farms in states to our west or hydroelectric from Canada, both of which would be very inefficient. Ironically we are in the process of bringing on line a clean coal plant that has the capacity to exceed our demand now and for the foreseeable future.

<http://www.jsonline.com/news/milwaukee/82567142.html>

The economic arguments against this legislation are numerous, compelling and valid, and should be researched and expressed to all of our representatives.

There is another point that is at least as important, and that is the questionable validity of the need to address climate change in general and carbon dioxide emissions in particular, at all. The developments in the “climategate” scandal have been virtually ignored in the American press, but are legitimate concerns nonetheless. If you are not familiar with these developments involving the UNs IPCC, Englands East Anglia University, Penn State University and Michael Mann, James Hanson and Goddard space/NASA, etc.....through any search engine the information is readily available and very relevant to this proposed legislation.

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To Governor Doyle:

We at the North East Wisconsin Building & Construction Trades Council (NEWBCTC) wish to express our concerns regarding the important jobs, energy, and environmental legislation that is now before the state legislature. The Clean Energy Jobs Bills (AB649/SB450) are the result of a grand compromise by utilities, environmental groups, community groups and organized labor to reduce global warming emissions and improve the state's economy.

The NorthEast Wisconsin Building Trades represents thousands of highly skilled workers in fifteen (15) building trades unions in the twenty-nine (29) counties of northeast Wisconsin. With the needs of the environment and the economy coming together, at a time like this, it is imperative that the nuclear power provisions in these bills be revised. There needs to be a clear legal pathway to allow for the construction of nuclear power plants as an additional source of clean base-load power. The moratorium against nuclear power plant construction must be effectively repealed.

The bill in its present form includes a 25% renewable power mandate by the year 2025. This provision is a good one. It will help lead to a cleaner environment and good paying, family sustaining, quality construction jobs. But the NorthEast Wisconsin Building Trades sees the nuclear provision as just as important as the renewable requirements. Equally important in the bills is the adoption of a "made in America" provision making it mandatory that all components from steel, piping, instrumentation & machinery (ie: turbines, generators, etc.) be produced here in the United States by skilled American workers. The NorthEast Wisconsin Building Trades wants to support a final bill. But that support rests on resolving the nuclear portions of the bill. The opposition to the bills is coming from many different stakeholders. Unfortunately, the NorthEast Wisconsin Building Trades would have to join in that opposition if this issue is not resolved.

The Kewaunee and Point Beach nuclear plants provide 20% of Wisconsin's power each day. This is reliable, emission free power. Over a thousand utility workers and hundreds of building trades jobs keep these vital base-load power sources operating, serving thousands

of families and businesses with safe, reliable, emission free power. Construction of new plants in the future would lead to reduced emissions and thousands of Wisconsin construction industry jobs and with the addition of a "made in America" provision, hundreds of good paying, family supporting jobs with benefits for those American workers producing the components of the turbines, generators and ancillary equipment associated with power generation.

The NorthEast Wisconsin Building & Construction Trades Council urges the legislature to revise AB649 and SB 450 in order to clear the hurdles facing nuclear power plant construction.

Respectfully,

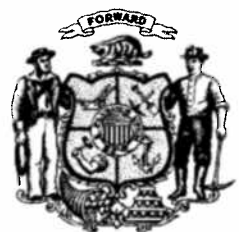
Gary L. Ruhl

Gary Ruhl, Business Representative
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"Building Quality Communities"



WISCONSIN STATE LEGISLATURE



Testimony on Assembly Bill 649
Bob Seitz, Executive Director
Wisconsin Utility Investors, Inc.

I am Bob Seitz, Executive Director of Wisconsin Utility Investors, Inc.

WUI is a grassroots organization of individual investors in the shareholder owned utilities serving Wisconsin. The vast majority of our members are retired small investors with household incomes less than \$60,000 per year. A high percentage rely on dividends from stocks they have built up over a lifetime as their only source of income, other than social security. They feel the issues we discuss directly and personally.

Beyond that, they are proud that their investments have built and supported the utility infrastructure that makes Wisconsin work.

Our members oppose AB 649 because they have always viewed their investments as making Wisconsin a better place for people to live and work. The idea that we will spend billions of dollars producing the exact same product – electricity on demand – that we produce today runs counter to a lifetime of common sense thinking.

The fear these retired people live with is that the state will recognize they have forced higher prices on consumers than the market can bear and will harm the companies in which we invest in a shortsighted attempt to lower the impact on consumers. In recent years, the Public Service Commission has lowered the allowable rate of return on our investments because of the current cost pressures. Attempts have also been made to allow the PSC to mandate increased debt on shareholder owned utilities, again, to respond to the current cost pressure.

Reduced returns mean reduced income for retirees who rely on small investments as well as union, government and company retirement funds. These are very real impacts of this bill on people.

A hopeful provision of the bill for our members was the easing of the nuclear moratorium. Nuclear energy is Wisconsin's only viable form of carbon-free base-load energy. Nuclear is also the only significant means Wisconsin has to reduce the billions of dollars flowing out of our state for energy. The nuclear provisions in the bill must make this energy source

viable and provide the opportunity for our state to export energy and spread the cost of construction regionally. Why not have more highly paid nuclear energy workers in Wisconsin bringing income into our state?

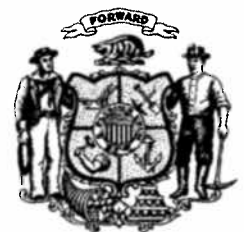
Wisconsin has to work. Wisconsin only works if we have competitively priced reliable energy. This is not a jobs bill because it will raise our energy prices and lower reliability.

As a global warming fix, Wisconsin cannot have an impact without federal action. If the federal government acts, this bill is unnecessary. If the federal government does not act, this bill is ineffective.

The best response this committee can make is to eliminate the nuclear moratorium and encourage this clean, safe source of Wisconsin produced energy and a genuine Wisconsin energy export.



WISCONSIN STATE LEGISLATURE





To: Global Warming Task Force Co-Chairs Roy Thilly & Tia Nelson

Re: Follow-Up to Dec 15, 2009 Meeting

On behalf of Wisconsin's largest energy consumers, the Wisconsin Industrial Energy Group, Inc. (WIEG) is writing in response to your most recent memo (December 21) to Task Force members seeking input regarding the draft legislation.

Your memo requested "concerns related consistency with, or a deviation from, the intent of the applicable Task Force recommendation." WIEG offers the following suggestions for your consideration:

1. **Policies that we believe were not adopted by legislative authors, yet detailed and supported in the Task Force Report:**
 - Protect large customers in competitive markets (Report p. 70 – 71).
 - Implement a rate crediting mechanism that rewards substantial early action in conservation and energy efficiency taken by large, energy intensive industry at its own expense after 2004 (Report p. 71).
 - Public Benefits budgets should be determined periodically by the PSC in a contested case hearing process taking account of relative benefits and costs of such program efforts (Report p. 73 – contested case is not referenced in the bill draft but should be).
 - Green tariff option for customers; feasibility study and potential modification of Wis. Stat 196.192 (Report p. 124).
 - Rate mitigation strategies such as levelization of cost recovery and securitization (Report p. 125). *With the significant rate impacts of both the 25% renewables mandate and the suggested quadrupling of Public Benefits contributions (p. 72) we are puzzled by the draft bill's silence regarding rate mitigation strategies.*
 - Industrial efficiency incentives (Report p. 189).

2. **Policies that we believe go beyond the original intent of the Task Force Subcommittees and Final Report:**
 - Annual boiler inspections (WIEG assumes this refers to the Report on p. 92 but we object to the legislative language in Section 51, p. 66 of the draft bill. Further, we believe if it is to be included at all, then it should be replaced with the recommendations of the Report on p. 187-193).
 - Advanced Renewable Tariff (Report p. 120-121). We have multiple objections to the bill draft in this area. We suggest that ARTs should remain voluntary and the mandatory language should be removed. Further, a utility should not have to purchase renewable energy through ARTs if their RPS requirement has been met.
 - "Exercise of Regulatory Authority" (Section 67, p. 72 of the draft bill) should be deleted.

3. **Your memo requested that “the second section should be used for any additional issues.” WIEG offers the following suggestions for your consideration:**
- Cost “circuit breakers” must be adopted for the 25% renewables mandate. These circuit breakers can be modeled on laws from other Midwestern states.
 - Any enhanced state renewable energy mandate must be compatible and not exceed the costs of federal renewable legislation.
 - Any enhanced state renewable energy mandate must be technically feasible and be able to pass strict cost/benefit analysis.
 - Legislative oversight of the Public Benefits programs must be retained.
 - Opt-out/opt-in provisions related to energy efficiency for large customers with unique energy profiles must be expanded. There are examples of opt-outs in many other states around the country that can be used as a model.

As you know, industrial customers are very concerned about the reliability of electricity at affordable rates. WIEG members often spend one million dollars or more on their monthly electric bill. Since 2003, industrial electric rates have increased between 40% to over 100% in Wisconsin. Our electric rates were once among the lowest in the country, but are now among the highest in the Midwest.

Our utilities are currently required to provide 10% of their electricity from renewable sources by the end of 2015. We’re currently at about 5% – and we’ve got a long, expensive way to go. That means billions in capital expenditures at a time when our state’s reserve margin is close to 30%. That’s on top of the billions that we have to pay for newly-added large power plants, billions for transmission upgrades and billions for air emissions retrofits. In other words, we could have rate shock -- even before any of the recommendations of the Global Warming Task Force would be enacted.

Wisconsin has the highest percentage of employment in manufacturing per capita of any state in the country. Manufacturing in this state is roughly 20% of the economy, totaling nearly \$49 billion annually. But Wisconsin has lost 164,000 jobs or 5.7% of its workforce since the recession began in December 2007. Manufacturing took the biggest hit with 40% of the total or 63,000 high-paying jobs eliminated. WIEG is concerned that the economic costs of the Global Warming Task Force will force more of our factories to close and outsource our manufacturing overseas.

Unless significant new cost containment measures are added to the Governor’s Global Warming Task Force package, we will continue to oppose the renewables and efficiency mandates. Perhaps during the legislative process the bill can be improved and amended to protect Wisconsin’s manufacturing base and gain our support.

Sincerely,



Todd Stuart
Executive Director



My name is Mark Yeager and I own & operate a Photovoltaic or Solar Electric design and installation business near Eagle River & Rhinelander in northern Wisconsin. We are called SUN & Daughters Renewable Energy and I made the 500 mile round trip journey to meet with you so you could understand real ways the Clean Energy & Jobs Act affects real people today.

Our small company has employed young men that have invested their time to learn & train for renewable energy and my wife and 2 daughters. The young men; Scott, Tyson, Kevin, & Alan have to be employed as independent contractors, only as jobs materialize, and therefore cannot depend on simple attributes such as steady employment much less health insurance. It is well documented in the renewable energy field that it takes about 6 months from selling a PV installation to job completion; due to filing permits & paperwork, coordinating shipping & site schedules, and commissioning after inspections or approvals. Although I'm grateful for our serving utility's brief buy-back program that helped pay customers for their contribution of clean energy, energy that does not damage human health or our lakes or atmosphere, these programs are not reliable. For example our utility's voluntary buy-back program was offered for a little over 7 months and 4 of the 5 customers I was working with were too late to take part in the program. The result was much less work, no chance to set up real employees, less clean energy on our grid and more polluting expensive energy consumed. The benefits of clean energy in our state are too valuable to rely on variable, voluntary, too brief programs. Since they benefit all citizens and resources of Wisconsin, these programs would be best mandated by Wisconsin.

Almost 10 years ago I participated on the Citizens Advisory Committee for the proposed rewrite of Wisconsin's Atmospheric Mercury Regulations. The exact same arguments we heard then; of high electricity bills that will drive the elderly from their homes and force businesses to close resulting in catastrophic job losses, are being carted out today against Advanced Renewable Energy Tariffs and against a reasonable Renewable Portfolio Standard. The facts are that in my area alone utility rates have doubled in the last 10 years and we are still relying on the same dirty, health & environment damaging, non-renewable energy sources we did for the past 10 years; in fact, more so since another coal burning plant was added during that time. Another fact is that Solar Electric systems in my area can provide electricity within a penny per KWH of our dirty technologies over a 25 year system life; but Solar Electric systems are forecast for a 60 year and more life, making that clean electricity available at half the cost of dirty electricity. For most people this choice is a "no brainer" (cheaper clean power or expensive polluting utility electricity?) but the total system costs are required up front. A renewable tariff that reasonably reduces these costs would help implement more of the clean energy Wisconsin deserves for all its businesses, especially the tourism that is so dependent on Wisconsin's lakes and sustainable logging tied to healthy forests.

I can guess that over the course of several hearings you've been cajoled, scolded, shamed, and even threatened with myths of economic demise if too much renewable energy is implemented, so I promised a joke:

A guy goes into a bar and sees a penguin sitting on the barstool.

He sits down next to the penguin and the penguin has both flippers holding up its head and is staring into its drink.

The guy says "why so glum chum?"

The penguin looks up and says "oh my home is under water and so are the eggs and chicks and the glacier that held our clan of 300,000 melted and floated away...that's all"

The penguin heads for the door, turns back and says "thanks for the emissions".

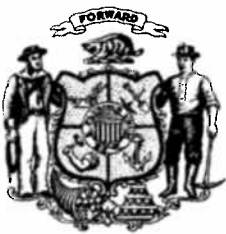
So the guy calls to the bartender "what's with him?"

The bartender says "oh, it's a bad joke".

I didn't promise a good joke or a funny joke...and I hope we don't continue the bad joke on the people of Wisconsin and others we share the planet with. Passing the Clean Energy & Jobs Act will provide jobs for a lot more young men & women in Wisconsin than the several I named that could be employed with our small company. The racks I need come from New Mexico and California...these are easily made and could be manufactured right here in Wisconsin, but we need the demand to get workers I've talked to, like a stainless steel welder who recently lost his job, to get orders to set up. Solar Panels could be manufactured right here in Wisconsin and they likely will be soon, but we need to keep them busy to ensure competitive pricing. At the National Electric Code seminars I attend at Nicolet College and some off campus by Mid-State College, electricians are asking for work with these systems. The technical colleges could be training and educating the four young men I mentioned at the beginning and many more men & women, but they need to know there will be jobs. With your commitment to a clean and healthy future for Wisconsin, the Clean Energy & Jobs Act can provide them. Thank you very much.



WISCONSIN STATE LEGISLATURE



Amendment to AB 649/SB 450 Relating to Hydroelectricity and Lifting the 60 Mw Restriction

Currently, utilities in Wisconsin cannot include hydroelectricity from a facility that is 60 Mw or larger as a “renewable energy” source in meeting the state’s Renewable Portfolio Standard (RPS).

The Governor’s Task Force on Global Warming recommended lifting the size restriction on hydro only for purposes of meeting the non-Wisconsin portion of the revised, higher 25% RPS standards after 2013. The recommendation is based on the premise that the concerns of the First Nations regarding Manitoba’s initial hydro facilities are resolved and final licenses are issued for the initial hydro facilities. The draft legislation requires the province of Manitoba to inform the Public Service Commission in writing that the Lake Winnipeg Regulation Project and the Churchill River Diversion Project have received final licenses and that the Commission determines that such final licenses and other actions constitute a reasonable resolution of the concerns of the First Nations affected by those projects.

Requiring the Commission to determine if the concerns of the First Nations have been resolved would inappropriately put the Commission in the position of second guessing the decisions of foreign governments including the First Nations, does not provide standards by which the Commission would review such decisions, and would create the potential for legal challenges on several fronts. This requirement should be dropped from the bill because the process of obtaining a final license in Manitoba includes a claim resolution process for the First Nations that makes this requirement redundant.

In addition, the Government of Manitoba and Manitoba Hydro have entered into agreements with all of the First Nations affected by the Churchill River Diversion and Lake Winnipeg Regulation projects that address any adverse effects of those projects. These agreements include the right of any of the First Nations or their members to bring claims to an Arbitrator for any adverse effects of the projects. The Arbitrator can make binding awards including determining compensation. These agreements also include a “reverse onus” clause, meaning that any claim brought forward by a First Nation for adverse effects of the Project are assumed to have been caused by the project unless Manitoba Hydro proves otherwise.

Finally, the Task Force Report never called for Commission oversight or approval of the First Nations’ concerns.

Delete lines 17 (after the words “final licenses”) through line 22 of proposed Wis. Stat. § 196.378(2)(b) 1r. c.

§ 196.378(2)(b)1r.c.

Renewable resource credits associated with electricity derived from a hydroelectric facility that is located in Manitoba, Canada that has a rated capacity of 60 megawatts or more, and that is first placed in service on or after the effective date of this subd. 1r. c. [LRB inserts date], may be included in a renewable energy percentage only if the province of Manitoba has informed the commission in writing that the interim licenses under which the Lake Winnipeg Regulation Project and the Churchill River Diversion Project were operating on the effective date of this subd.

1r. c. [LRB inserts date], have been replaced by final licenses. ~~and that those projects have received all final approvals, licenses, and permits applicable to them under Canadian law and only if the commission determines that such final licenses and any other actions taken by the province of Manitoba or Manitoba Hydro-Electric Board constitute a reasonable resolution of the concerns of the First Nations affected by those projects.~~