

For Immediate Release

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Public Service Commission Challenged On Private Meetings With Utilities During Transmission Line Case

Wisconsin's Environmental Decade today asked two Public Service Commissioners and several utility executives to "immediately and fully disclose" any communications and records of private discussions concerning the controversial Arrowhead-Weston transmission project.

The demand came as Decade released information secured from the PSC under the Open Records Law showing that Public Service Commissioners Bie and Garvin met privately with representatives of the American Transmission Company (ATC) and other advocates for the transmission project while the case was designated as an "active" court type proceeding by the PSC.

In "Type I" contested cases, the Commissioners sit as judges.

Sign in records from the PSC show Commissioner Bie met with ATC executives Jeff Rauh and Julie Voeck on September 12, 2001. The Commission was then considering the form of its final order on the Project.

Frank Jablonski, attorney for Wisconsin's Environmental Decade, said

"It looks like the Commissioners are breaking the rules set up to make the process fair. We cannot see how fair minded Commissioners could meet with one side to a case where they are sitting as judges. The utilities already have hundreds of times as many resources as the citizens opposing the line. Separate meetings with utilities makes a lopsided situation even worse."

Additional meetings occurred after rumors surfaced in 2002 that the Arrowhead – Weston project, still designated as an “active” case before the PSC, would cost about \$231 million more than the PSC had approved for recovery. On August 12, 2002, Rauh, Dale Landgren, ATC Vice President and Chief Strategic Officer and three other ATC executives signed in for a three hour meeting with “Garvin et al.”

Rumors of massive cost overruns were confirmed by ATC in late October of 2002. (Milw. Jnl.-Sntnl. October 21, 2002).

ATC’s Vice President Mark Williamson, who had been hired specifically to “manage the Arrowhead-Weston transmission line project,” (ATC Press Release, May 29, 2002, “Williamson joins American Transmission Company”), Rauh, and Daniel Doyle, ATC’s Chief Financial Officer, signed in for a meeting with Commissioner Garvin and former Commissioner Mettner on September 30th, 2002.

Meetings involving more than one Commissioner at a time may violate Wisconsin’s Open Meetings law, which requires advance notice and open access when a quorum of the Commission (two Commissioners) meets and conducts any government business. The PSC has only three Commissioners.

PSC records show Doyle and Rauh also met with Commissioner Bie the following afternoon, on October 1, 2002. A political appointee from the Department of Administration, John Marx, joined the meeting with Bie, according to the sign-in records. The Arrowhead- Weston Transmission line had been touted as part of former Governor McCallum’s energy plan.

Claire Schmidt, local issues coordinator for Environmental Decade had the following comments:

“Commissioners Bie and Garvin and the utilities should immediately and fully disclose all private dealings that they have had with each other over this issue.”

“When utilities first proposed this environmental disaster, people from Northwest Wisconsin openly wondered if they could get a fair shake from this Commission. Their fears were justified. Any decision coming from this process is now suspect.”