



December 24, 2020

Steffany Powell Coker
Secretary to the Commission
PUBLIC SERVICE COMMISSION OF
WISCONSIN
P.O. Box 7854
Madison, WI 53707-7854

RE: Request for Extension to Commence Construction
Application for Badger State Solar, LLC
to Construct a New Solar Electric Generation Facility in
Jefferson County, Wisconsin
PSC Docket 9800-CE-100

Dear Ms. Powell Coker:

On February 26, 2020, the Public Service Commission of Wisconsin (the “Commission”) granted Badger State Solar, LLC (“Badger State”) a Certificate of Public Convenience and Necessity to construct a 149-MW solar photovoltaic electric generation facility in Jefferson County, Wisconsin (the “Project”). Pursuant to Order Point 8.a. of the CPCN, Badger State requests that the Commission grant an extension of the date by which construction must commence to June 30, 2023. As more fully explained below, good cause exists for the Commission to grant this request.

In 2019, even before the Commission approved the CPCN, Badger State began the process of securing Project financing from the Rural Utilities Service (“RUS”), part of the U.S. Department of Agriculture (“USDA”). In May 2019, USDA staff confirmed that the Project is eligible to receive RUS loans. However, before the USDA can approve the financing, a third-party consultant must complete an environmental impact study (“EIS”) that meets the requirements of the National Environmental Policy Act (“NEPA”)—a process that is expected to require 24 months to complete.

Since May 2019, Badger State has coordinated extensively with RUS to provide additional information on the Project, the Project details evaluated in the CPCN, and the Project timeline, which RUS required to determine the necessary level of NEPA analysis. Based on that information, RUS determined that an EIS would be required to satisfy NEPA requirements. RUS is scheduled to select a consultant to prepare the EIS by January 2021 at the earliest. In recent discussions, RUS staff have advised Badger State to expect that the EIS process will take two full years to complete once the consultant is selected. This delay makes it impossible for

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Badger State to secure RUS-financing before beginning construction within one year of the issuance of the Commission's CPCN.

Due to the anticipated financing delay, Badger State reopened negotiations with Dairyland Power Cooperative over the parties' previously executed long-term power purchase agreement ("PPA"). Badger State anticipates that these negotiations will amend the PPA to account for the Project's delayed commercial operation date and for the favorable RUS financing. Accordingly, the PPA will likely be amended, resulting in a reduced price for Dairyland under the PPA, which will, in turn, mean reduced rates for Wisconsin ratepayers.

For these reasons, Badger State requests that the Commission extend the date by which it must commence construction of the Project to June 30, 2023. This will allow sufficient time for an EIS to be completed, for RUS to complete its processes for granting Badger State financing for the Project, and for Badger State to mobilize for Project construction.

Very truly yours,

A handwritten signature in cursive script that reads "Paul Harris".

Paul Harris
President