

## **Energy Priorities Law - Wisconsin**

Note: Underscoring added.

### **1.12 State energy policy.**

**(1) DEFINITIONS.** In this section:

(a) "Local governmental unit" has the meaning given in s. [19.42 \(7u\)](#). *[definition provided below]*

(b) "State agency" means an office, department, agency, institution of higher education, the legislature, a legislative service agency, the courts, a judicial branch agency, an association, society, or other body in state government that is created or authorized to be created by the constitution or by law, for which appropriations are made by law, excluding the Wisconsin Economic Development Corporation.

**(2) CONSERVATION POLICY.** A state agency or local governmental unit shall investigate and consider the maximum conservation of energy resources as an important factor when making any major decision that would significantly affect energy usage.

**(3) GOALS.**

(a) *Energy efficiency.* It is the goal of the state to reduce the ratio of energy consumption to economic activity in the state.

(b) *Renewable energy resources.* It is the goal of the state that, to the extent that it is cost-effective and technically feasible, all new installed capacity for electric generation in the state be based on renewable energy resources, including hydroelectric, wood, wind, solar, refuse, agricultural and biomass energy resources.

(c) *Afforestation.* It is the goal of the state to ensure a future supply of wood fuel and reduce atmospheric carbon dioxide by increasing the forested areas of the state.

**(4) PRIORITIES.** In meeting energy demands, the policy of the state is that, to the extent cost-effective and technically feasible, options be considered based on the following priorities, in the order listed:

(a) Energy conservation and efficiency.

(b) Noncombustible renewable energy resources.

(c) Combustible renewable energy resources.

(cm) Advanced nuclear energy using a reactor design or amended reactor design approved after December 31, 2010, by the U.S. Nuclear Regulatory Commission.

(d) Nonrenewable combustible energy resources, in the order listed:

1. Natural gas.

2. Oil or coal with a sulphur content of less than 1 percent.

3. All other carbon-based fuels.

**(5) MEETING ENERGY DEMANDS.**

(a) In designing all new and replacement energy projects, a state agency or local governmental unit shall rely to the greatest extent feasible on energy efficiency improvements and renewable energy resources, if the energy efficiency improvements and renewable energy resources are cost-effective and technically feasible and do not have unacceptable environmental impacts.

(b) To the greatest extent cost-effective and technically feasible, a state agency or local governmental unit shall design all new and replacement energy projects following the priorities listed in sub. [\(4\)](#).

**(6) SITING OF ELECTRIC TRANSMISSION FACILITIES.** In the siting of new electric transmission facilities, including high-voltage transmission lines, as defined in s. [196.491 \(1\) \(f\)](#), it is the policy of this state that, to the greatest extent feasible that is consistent with economic and engineering considerations, reliability of the electric system, and protection of the environment, the following corridors should be utilized in the following order of priority:

(a) Existing utility corridors.

(b) Highway and railroad corridors.

(c) Recreational trails, to the extent that the facilities may be constructed below ground and that the facilities do not significantly impact environmentally sensitive areas.

(d) New corridors.

**History:** [1977 c. 29](#); [1993 a. 414](#); [2003 a. 89](#); [2005 a. 74](#); [2011 a. 7](#); [2013 a. 20](#); [2015 a. 344](#).

NOTE: [1993 Wis. Act 414](#), which creates subs. (1) and (3) to (5), contains extensive explanatory notes.

**Cross-reference:** See also ch. [NR 150](#) and s. [PSC 4.30](#), Wis. adm. code.

PSC decisions under s. 196.025 (4) applying the energy source priorities under sub. (4) are entitled to great weight deference. When the PSC makes a determination under the plant siting law, s. 196.491, it applies sub. (4) in the context of determining whether to approve the requested plant siting. The question the PSC should ask is: Given the requirements of the plant siting law, what is the highest priority energy option that is also cost effective and technically feasible? *Clean Wisconsin, Inc. v. Public Service Commission*, [2005 WI 93](#), [282 Wis. 2d 250](#), [700 N.W.2d 768](#), [04-3179](#).

**(7u)** "Local governmental unit" means a political subdivision of this state, a special purpose district in this state, an instrumentality or corporation of such a political subdivision or special purpose district, a combination or subunit of any of the foregoing or an instrumentality of the state and any of the foregoing.



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Master

**File Number: 45569**

**File ID:** 45569

**File Type:** Resolution

**Status:** Council New  
Business

**Version:** 1

**Reference:**

**Controlling Body:** COMMON  
COUNCIL

**File Created Date :** 12/27/2016

**File Name:** To update Energy and Carbon Goals in the Sustainable Madison Plan in response to changing science and technology around climate change, renewable energy and energy efficiency.

**Final Action:**

**Title:** To update Energy and Carbon Goals in the Sustainable Madison Plan in response to changing science and technology around climate change, renewable energy and energy efficiency.

**Notes:**

**Sponsors:** David Ahrens, Zach Wood and Michael E. Verveer

**Effective Date:**

**Attachments:**

**Enactment Number:**

**Author:** Jeanne Hoffman, City Engineering

**Hearing Date:**

**Entered by:** lveldran@cityofmadison.com

**Published Date:**

### Approval History

Version	Date	Approver	Action
1	12/27/2016	Travis J. Martin	Approve

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	12/27/2016	Referred for Introduction				
	<b>Action Text:</b>		This Resolution was Referred for Introduction				
	<b>Notes:</b>		Board of Estimates, Sustainable Madison Committee, Committee on the Environment				
1	COMMON COUNCIL	01/03/2017					

### Text of Legislative File 45569

#### Fiscal Note

In the adopted 2017 capital budget Engineering-Facilities Management has budgeted \$750,000 for renewable energy and energy efficient installations via the Sustainability Improvements program funded by GO Borrowing. This resolution authorizes the updating of the Energy and Carbon Goals in the Sustainable Madison Plan by assigning up to \$250,000 of that budgeted funding to develop a plan for city operations to achieve goals of 100% renewable energy and net-zero carbon emissions. Funding would be used for third-party expertise required to develop a plan.

**Title**

To update Energy and Carbon Goals in the Sustainable Madison Plan in response to changing science and technology around climate change, renewable energy and energy efficiency.

**Body**

WHEREAS, the City of Madison (City) desires to formulate and implement energy and carbon policy consistent with the environmental, economic and social objectives articulated in the Madison Sustainability Plan, the City's Energy Work Plan, and existing State of Wisconsin energy policy applicable to local governmental units under Wis. Stat. sec. 1.12; and, WHEREAS, the scientific consensus demands we limit global temperature increases below 1.5 to 2 degrees Celsius to avoid the most destructive and dangerous effects of climate change ; WHEREAS, existing City energy and carbon goals were created before the 2015 United Nations Climate Change Conference, or COP 21, where 174 countries developed even more aggressive global targets that have since been ratified by the United States; and, WHEREAS, the Common Council has directed the Sustainable Madison Committee to "Create a working group of the Sustainable Madison Committee that includes other community stakeholders to review the City's climate change goals and update if needed"; and,

WHEREAS, the "Energy and Carbon Working Group" has received public testimony, consulted with a variety of experts and identified ambitious and common sense goals during five working group sessions from July through November 2016; and,

WHEREAS, the 2017 Capital Budget includes \$750,000 directed toward "Sustainability Improvements" including renewable energy installations and energy efficiency improvements ; and,

WHEREAS, the City of Madison aims to lead by example in the community, the state, and across the nation,

THEREFORE, BE IT RESOLVED, by the Common Council of the City of Madison that: The Sustainable Madison Plan must reflect scientific consensus and community aspirations and establish community-wide Energy and Carbon goals of 100% renewable energy and net-zero carbon emissions, within a time-frame that aligns with sound and established science, as official energy and carbon goals of the City of Madison; and,

BE IT FURTHER RESOLVED, by the Common Council of the City of Madison that: up to \$250,000 in re-allocated funding from funds already dedicated to "Sustainability Improvements" in the adopted 2017 Capital Budget shall be available for third-party expertise required to develop a plan for city operations to achieve goals of 100% renewable energy and net-zero greenhouse gas emissions; and,

BE IT FURTHER RESOLVED, by the Common Council of the City of Madison that: by January 2018, City staff will develop a plan for City of Madison operations to achieve 100% renewable energy and net-zero carbon emissions that includes target dates for reaching these goals, interim milestones, budget estimates, and estimated financial impacts; and,

BE IT FURTHER RESOLVED that the attainment of this goal is a budgetary and managerial priority and that as such target dates should be established that are ambitious, optimistic and realized as soon as is feasible; and,

BE IT FURTHER RESOLVED that the Sustainable Madison Committee (SMC) shall be engaged in the development of the RFP for this plan, which would include options for benchmark dates,

costs and adoption of renewable energy and that the consultant and management team meet regularly with the SMC on its progress; and,

BE IT FURTHER RESOLVED, by the Common Council of the City of Madison that: City staff will report on progress of City of Madison operations toward achieving goals to the Common Council in January 2019 and annually thereafter,

BE IT FINALLY RESOLVED, by the Common Council of the City of Madison that: The Sustainable Madison Committee will review and, if necessary, update community-wide goals in January 2019 and biannually thereafter.