



To: Wisconsin Legislature

**From: WUA, WMC, WUI, WPPI Energy, MEUW, FRWD,
Dairyland Power Cooperative & Wisconsin Electric Cooperative Association**

Re: Please Oppose

Date: May 16, 2023

On behalf of Wisconsin's energy providers, customers, consumer members, businesses, workers and investors, the Wisconsin Utilities Association, the Wisconsin Electric Cooperative Association, Wisconsin Manufacturers & Commerce, the Municipal Electric Utilities of Wisconsin, WPPI Energy, Dairyland Power Cooperative, Fair Rates for Wisconsin's Dairyland and Wisconsin Utility Investors, we respectfully **urge you to oppose SB 226 and AB 258.**

As you may know, "Community Solar" developers are seeking support for these bills which **would give them free access to Wisconsin's energy system**, at no risk to themselves, and **shift grid costs to non-participating electric customers.**

In Minnesota, for example, the Legislature created a "Community Solar Garden" (CSG) program in 2013, similar to what is being proposed in Wisconsin. That program added \$5 per month to the utility bill of each non-participating customer. And, despite how the program was originally sold as benefiting homeowners, so far, nearly 90% of the benefits have accrued to out-of-state business owners (67%) and international owners (20%).

Under this draft, among other things:

- Community Solar developers are exempt from being regulated as public utilities;
- "Subscribers" would sign contracts to receive bill credits from their incumbent utility for up to 25 years;
- Wisconsin utilities would be required to carry over and pay subscribers for any excess bill credits beyond those 25 years "in perpetuity";
- Wisconsin utilities, and thus, their customers, would be required to pay for any unused bill credits;
- The developer, rather than the subscribers themselves, would retain the rights to all Renewable Energy Credits (RECs) generated by the facility; and
- Wisconsin utilities would be required to allow interconnection of the Community Solar facility to their electric distribution system and advertise the availability of non-utility programs in their utility tariffs.

Wisconsin utilities are adding thousands of Megawatts of utility scale solar power, regulated community solar systems, shared solar programs and battery storage in the coming years, at far lower cost, directly benefitting Wisconsin's electric customers and consumer members.

The bill would chiefly benefit the out-of-state Community Solar developers at the expense of the non-subscribing customers. Meanwhile, the developers would benefit from using Wisconsin's electric grid

with no obligation to maintain service and reliability, to prove the generating asset is necessary or cost effective, or to be a provider of last resort, as Wisconsin's utilities are required to do.

Compared to last session's SB 490, the new bill is not much different than the old. The general scheme is the same, with developers protected from virtually any risk and subscribers subsidized by other utility customers.

Community Solar subscribers will also continue to be served by their incumbent utility – as current law requires - in addition to receiving bill credits. That is not fair.

Ironically, the subscribers will not even get any of the energy from the community solar projects directly. The output will flow into the incumbent utility's distribution system. Thus, unlike some utility-sponsored projects, the subscriber does not even get the renewable attributes.

On behalf of Wisconsin's energy providers and customers, we respectfully urge policymakers to reject this proposal. Please oppose SB 226 and AB 258 or similar Community Solar legislation.