

**2003 DRAFTING REQUEST****Assembly Amendment (AA-AB378)**Received: **06/09/2003**Received By: **jkreye**Wanted: **Today**

Identical to LRB:

For: **Scott Jensen (608) 264-6970**By/Representing: **brett**This file may be shown to any legislator: **NO**Drafter: **jkreye**

May Contact:

Addl. Drafters:

Subject: **Shared Revenue**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Jensen@legis.state.wi.us**Carbon copy (CC:) to: **joseph.kreye@legis.state.wi.us**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Baseload

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	jkreye 06/09/2003	wjackson 06/09/2003	chaskett 06/09/2003	_____	lemery 06/09/2003	lemery 06/09/2003	

FE Sent For:

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/1	jkreye	1 WLj 6/9	1 copy 6/9	Self <del>6/9</del>			

FE Sent For:

<END>

**Kreye, Joseph**

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**From:** Healy, Brett  
**Sent:** Monday, June 09, 2003 1:50  
**To:** Kreye, Joseph  
**Subject:** Baseload Concern  
**Importance:** High

*Can I get this drafted into an amendment for AB 378's execution tomorrow?*

*Thanks.*

## Brett Healy

Rep. Scott Jensen

Energy & Utilities Committee

123 West, State Capitol

608-264-6970

1-888-534-0098 toll-free

-----Original Message-----

**From:** Haubrich.Joel [mailto:Joel.Haubrich@we-energies.com]  
**Sent:** Monday, June 09, 2003 9:42 AM  
**To:** 'Gottlieb, Rep. Mark'  
**Cc:** Brett Healy (E-mail); Mulroy.Molly; Bill Broydrick (E-mail)  
**Subject:** Baseload Concern  
**Importance:** High

Mark,

Per our discussion on Thursday.

### Baseload Concern

A well maintained "baseload" power plant runs 75% to 80% of the time.

Typically, plant's experience "planned outages" that constitute a loss of 10% of their capacity factor. The "planned outages" range from 3 to 6 weeks. Another 5% is lost during "forced outages." This is an unexpected event. It is usually equipment failure. This leaves a plant at an 85% capacity factor.

Though baseload plants run most of the time, during off peak hours many plants can have their operations reduced based on the electrical load. Other events also factor into the operation of a plant. Economics may force a plant to curtail its operations. If gas prices dip below the cost of coal (anything

06/09/2003

can happen). A baseload plant could dip below 60% -- based on all the items referenced above.

The only plants that are not in danger of losing a baseload definition are nuclear plants, yet in 1997 and 1998; our Point Beach plant had several long unforeseen outages that did drop their capacity below 60%.

We believe the Public Service Commission should make a determination during the CPCN or CA process. We also think that the PSCW could review that determination at anytime.

This eliminates a yearly review and removes any possible swings that may happen in a plants operation.

**This is the "best bet" for the community; the likelihood that the capacity factor going down is significantly higher than it going up.**

**SECTION 3.** 79.005 (1d) of the statutes is created to read:

79.005 (1d) "Baseload electric generating facility" means an electric generating facility as determined by the public service commission through a certificate of public convenience and necessity or through certificate of authority that has a capacity factor that is designated to be greater than 60%.

**SECTION 4.** 79.005 (1f) of the statutes is created to read:

79.005 (1f) "Capacity factor" means the anticipated actual annual output of an electric generating facility expressed as a percentage of the facility's potential output referenced in a certificate of public convenience and necessity or certificate of authority or, for an electric generating facility that has not been in operation for one year, the projected annual output of an electric generating facility expressed as a percentage of the facility's potential output. The public service commission may review a generating facility's capacity factor at any time after a certificate of public convenience and necessity or certificate of authority has been issued.

**Joel M. Haubrich**  
**We Energies - Government Affairs**  
**231 W. Michigan St.**  
**P.O. Box 2046**  
**Milwaukee, WI 53290-0001**  
**414-221-4102 (MKE office)**  
**608-283-3004 (MDSN office)**  
**414-221-3853 (fax)**  
**joel.haubrich@we-energies.com**



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBa0633/1

JK:/:....

WLJ

ASSEMBLY AMENDMENT,  
TO 2003 ASSEMBLY BILL 378

*now* 6-9-03

1 At the locations indicated, amend the bill as follows:

2 <sup>↓</sup>1. Page 3, line 6: after "60%" insert ", as determined by the public service  
3 commission and by a certificate of public convenience and necessity or by a certificate  
4 of authority".

5 <sup>§</sup>2. Page 3, line ~~8~~: delete lines 8 to 12 and substitute:

6 "79.005 (1f) "Capacity factor" means the anticipated actual annual output of  
7 an electric generating facility expressed as a percentage of the facility's potential  
8 output as indicated in a certificate of public convenience and necessity or a certificate  
9 of authority. For purposes of this ~~subsection~~ <sup>subchapter</sup>, the public service commission may  
10 review the capacity factor of an electric generating facility at any time after a  
11 certificate of public convenience and necessity or a certificate of authority has been  
12 issued with regards to the facility."

13 (END)