



Energy Policy and Politics in Wisconsin

12 noon, Friday, June 24, 2022

Special Events Tent



Jim Boullion, Director of Government Affairs



Wisconsin State Assembly

Wisconsin Builders Association (WBA)

Associated Builders and Contractors (ABC)

Associated General Contractors (AGC)

Association of Wisconsin Lobbyists – President (2 yrs.)

Division of Safety and Professional Services – Division Administrator

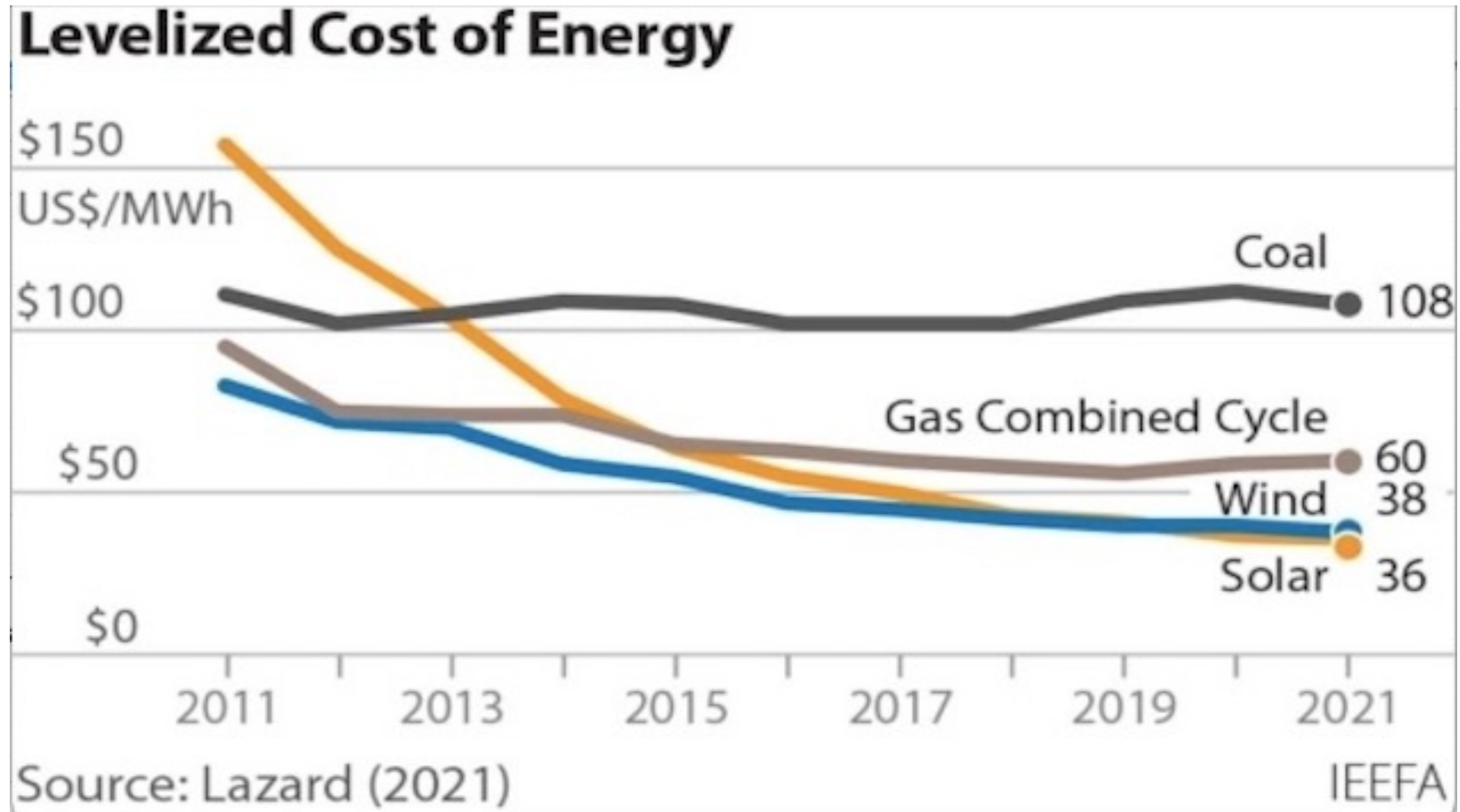
RENEW Wisconsin – 2017 to Present



RENEW Wisconsin is a nonprofit organization founded in 2001 and is dedicated to building a stronger, healthier, more vibrant Wisconsin through the advancement of renewable energy.

We work on policies and programs that support solar power, wind power, biogas, geothermal energy, and electric vehicles.

Why is Renewable Energy so Popular?



Natural Gas Continuous Contract Price Volatility

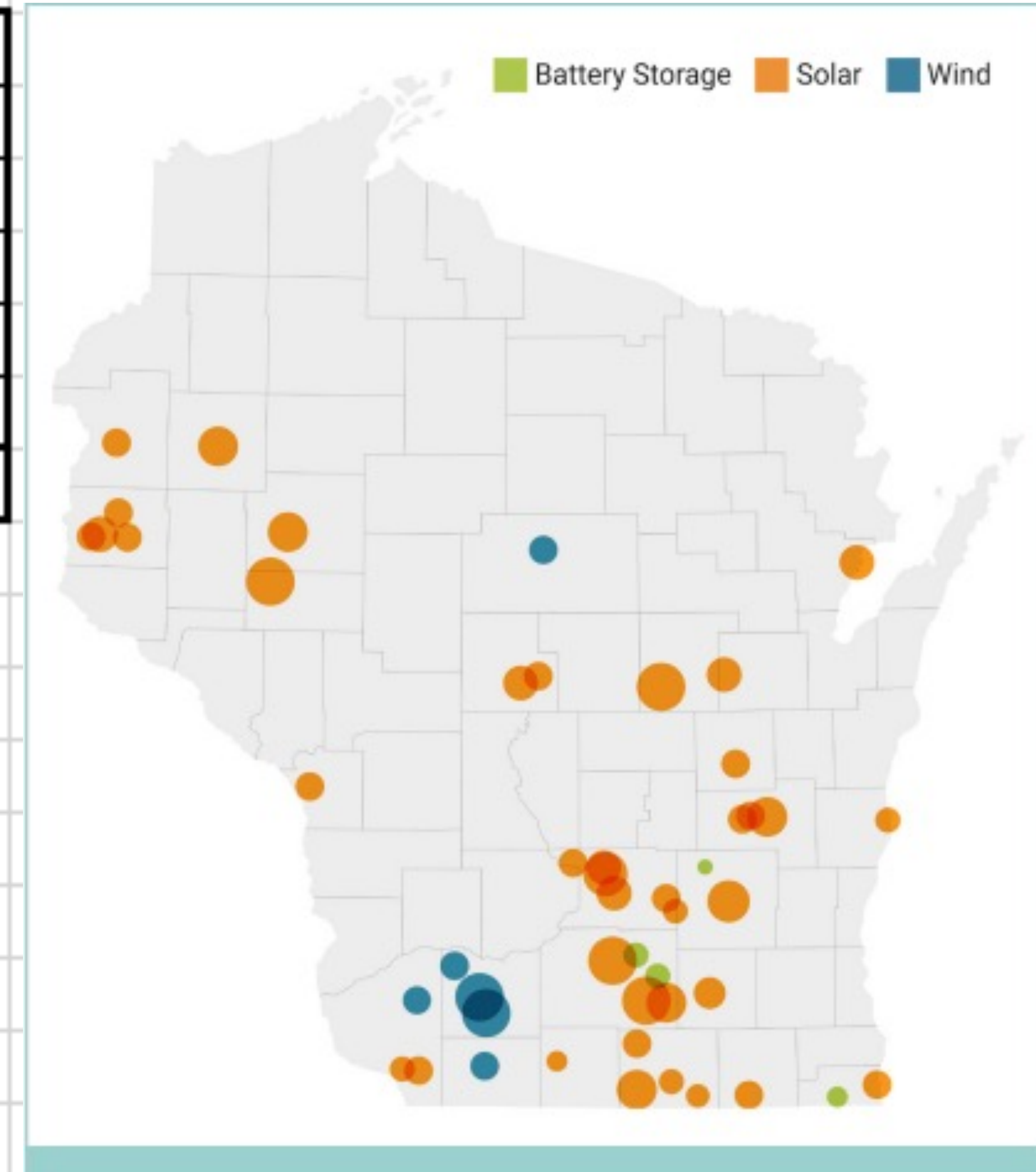
(June 9, 2019 to June 21, 2022)
Price in million British thermal units (MMBtu)



MISO Generator Interconnection Study Queue - Wisconsin

Total Megawatts in Wisconsin MISO Study Queue			
May 18, 2022	Type	Percent of Total	Change from 2020 to 2022
8,361	Solar	66.6%	333%
2,420	Battery	19.3%	988%
549	Hybrid Solar+Battery	4.4%	New Category
1,208	Wind	9.6%	409%
12	Gas	0.1%	2%
12,550	Total	100.0%	351%

Total Megawatts in Wisconsin MISO Study Queue		
July 12, 2020	Type	Percent of Total
2,511	Solar	70.2%
245	Battery	6.8%
-	Hybrid Solar+Battery	0.0%
295	Wind	8.3%
528	Gas	14.7%
3,579	Total	100.0%





Commercial Building Code Council

**Wisconsin last updated our Commercial Code in 2018, adopting the 2015 ICC + 2017 NEC
We are still using the 2010 IECC Commercial Energy Code.**

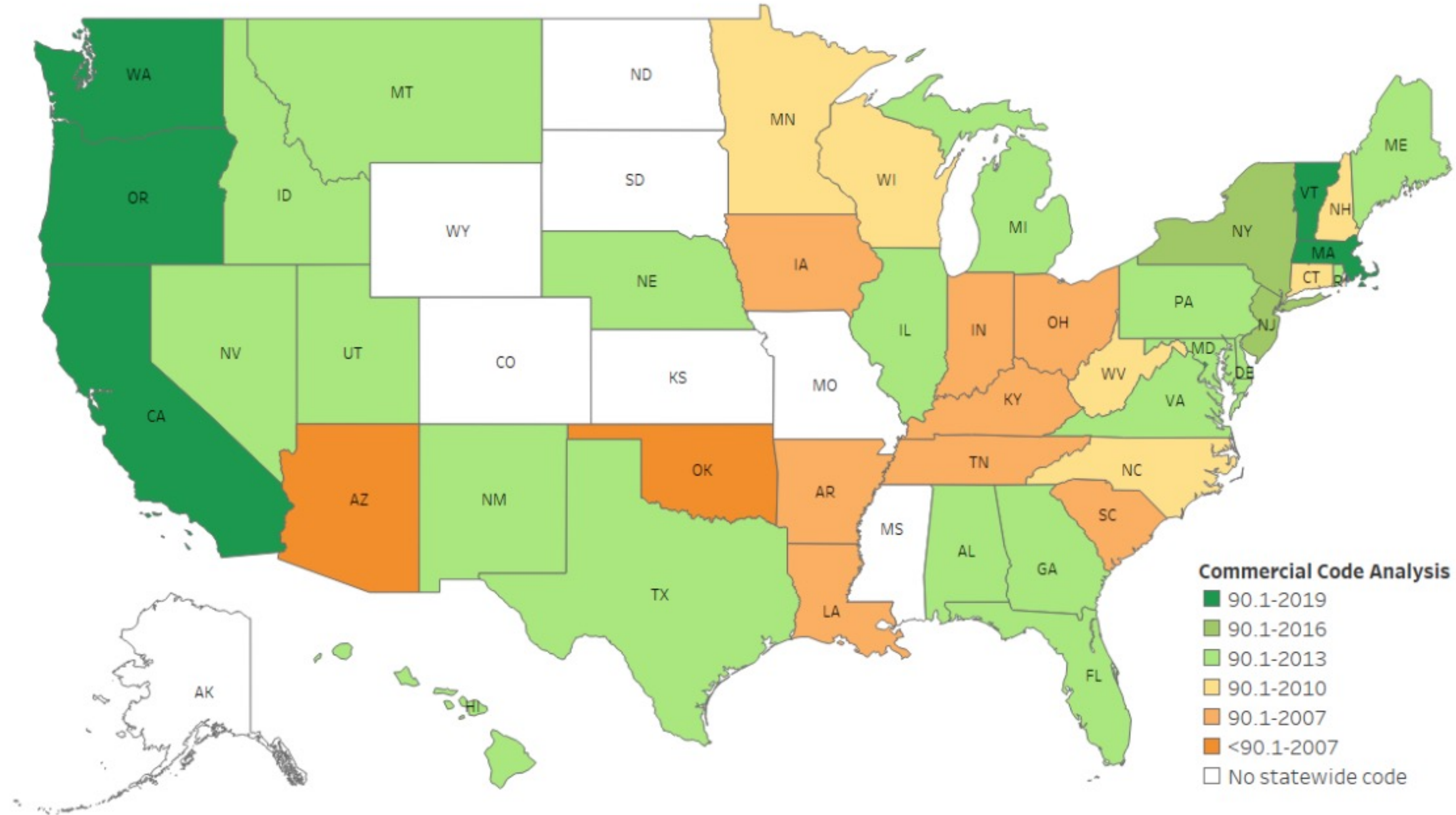
The Council finished their work in December 2021, recommending updates to the 2021 ICC Building Codes and other Wisconsin specific code changes.

- ***Only a few states like California and Nevada have adopted the 2021 IECC***

**The update was not sent to the legislature before they adjourned on March 10th.
This code update will likely to wait for 2023 session to be considered.**

Some stakeholders are concerned about increased costs and long paybacks.

Status of State Energy Code Adoption - Commercial



Updated as of 03/31/22



Residential Building Code Council

The residential **Uniform** Dwelling Code (UDC) was last updated in 2016.

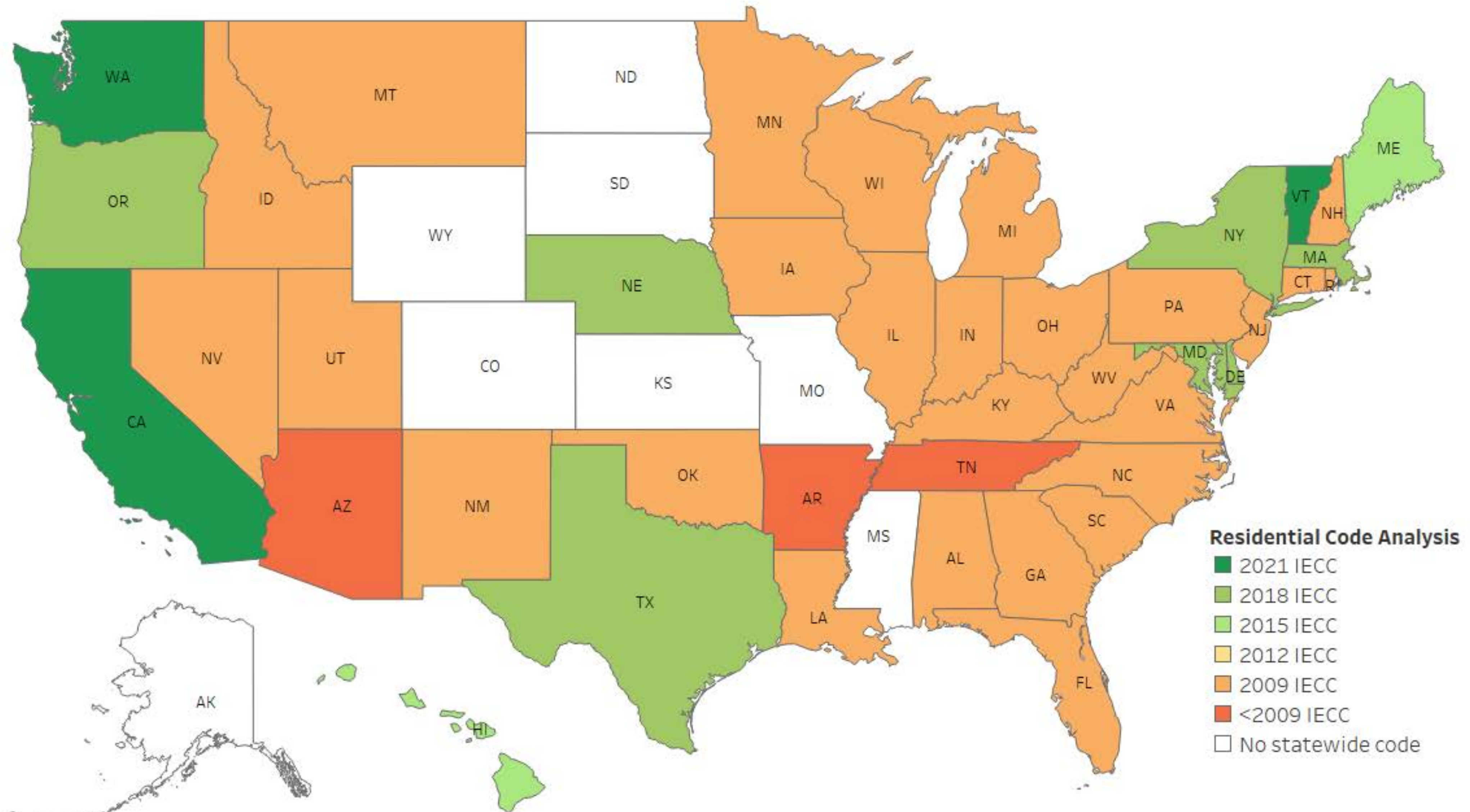
Residential Code Council will begin meeting this summer, and likely take until end of year. DSPS is looking to fill several seats of Council members whose terms are ending.

DSPS is recommending the following major updates:

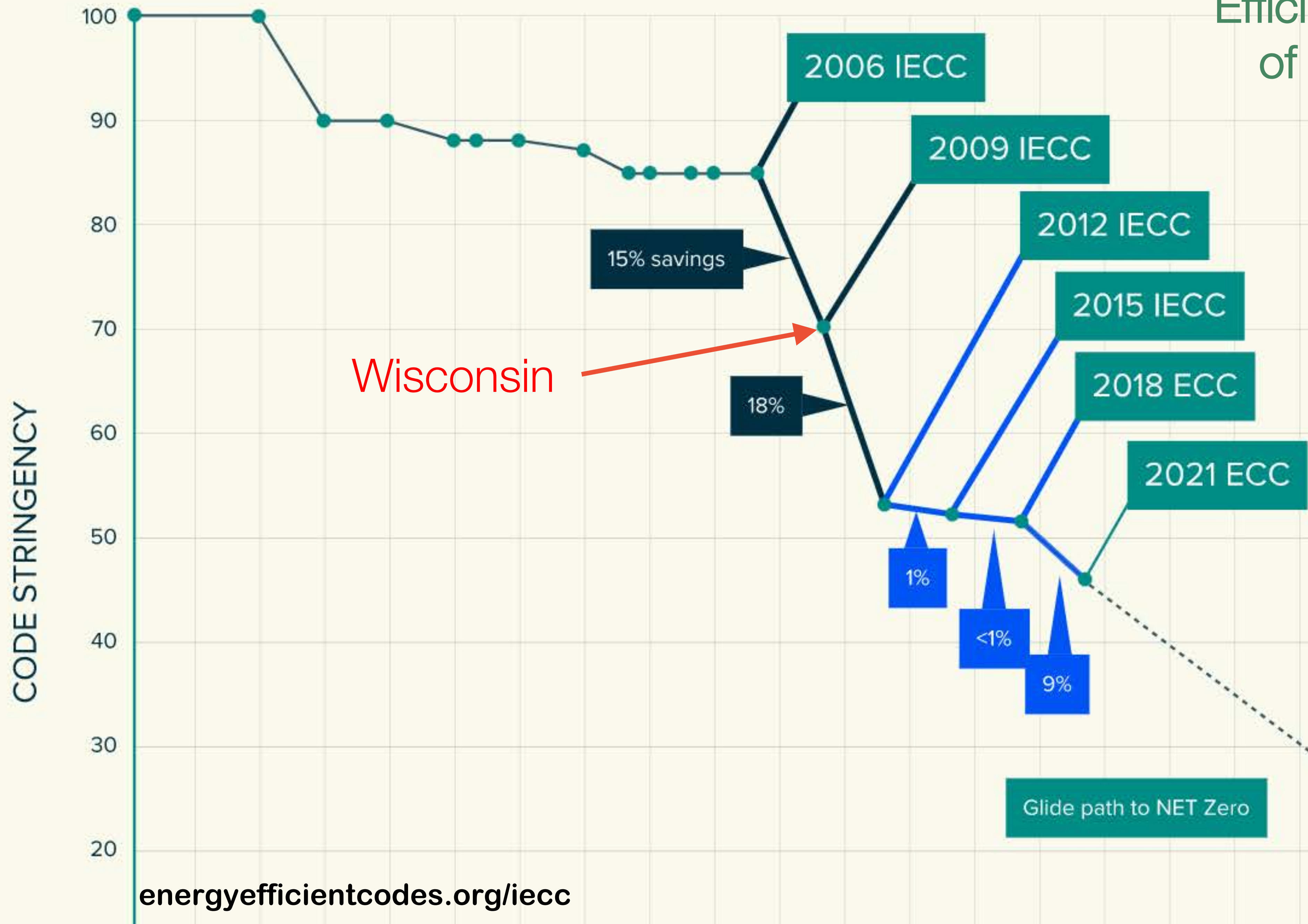
- **Adopt International Residential Code** - Wisconsin only state not using IRC code.
- **Update from the 2009 to the 2021 IECC (Energy Code)**
 - Only 3 States have adopted 2021 codes: *California, Washington, Vermont*

Some stakeholders are also concerned with cost increases for residential code.

Status of State Energy Code Adoption – Residential



Efficiency Improvements of of IECC Changes





Wisconsin Advisory Council On Building Sustainability

Recommended as part of Governor's Clean Energy Plan

Review all building and construction codes to provide recommended changes that would save energy while increasing safety, resiliency and sustainability.

DSPS is currently accepting applications to serve on the Council.

They hope to have the Council start meeting this summer.



State of Wisconsin Action Clean Energy Plan

Governor's plan to develop pathways and strategies to transition to a clean energy economy – Identifying actionable, high impact areas.

Focus on multi-sector decarbonization:

- **100% carbon-free electricity by 2050 (Power Sector)**
- **Meet Wisconsin's share of emission reductions related to the Paris Climate Accord for greenhouse gas emissions - 50% by 2030.**
- **Pathways to Implementation Include: Executive Action, Agency Lead-by-Example, Budget Bill and Stand Alone Legislation.**

Clean Energy & Energy Efficiency

Strategies to Reduce Emissions Include:

- **Improving Financing Options**
- **Support Wisconsin Generated Renewable Energy (biogas, solar, wind...)**
- **Support Energy Storage**
- **Support Innovation, Research and Business Development**
- **Optimize Energy Efficiency Programs**
- **Leverage Federal Funding**

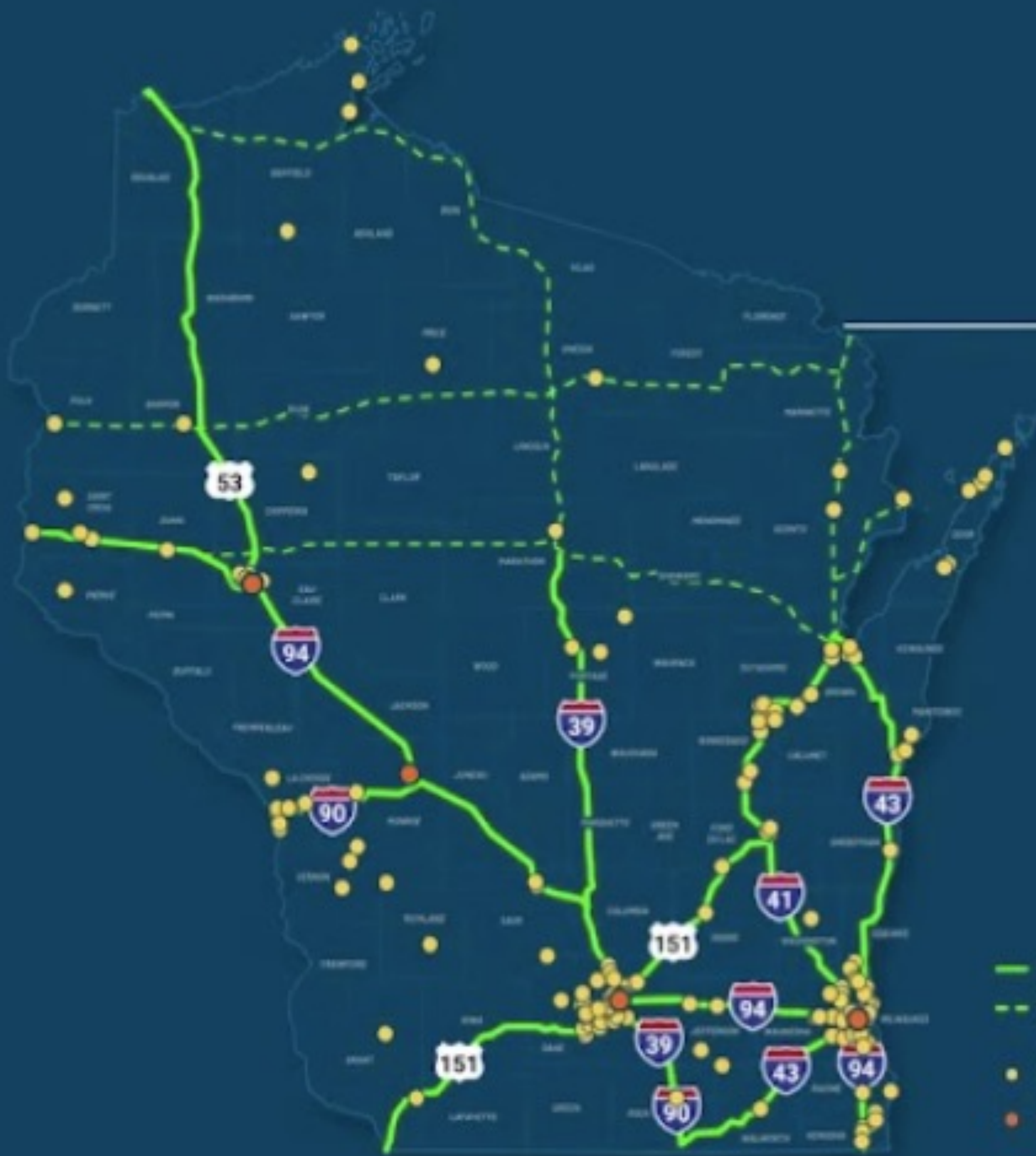
Infrastructure Investment and Jobs Act National Electric Vehicle Infrastructure (NEVI) Program

- 1). **\$5 Billion** over 5 years allocated nationally to the States for EV charging infrastructure grants, primarily along the designated Alternative Fuel Corridors.
 - **\$78.5 million to Wisconsin** - **\$11.6 in the first year.**
- 2). **\$2.5 billion** is also available in two nationwide competitive grant programs:
 1. **Corridor Charging Grant Program.** Additional EV charging grants along alternative fuel corridors and certain other locations.
 2. **Community Charging Grant Program.** Targets projects in rural areas, low- and moderate- income areas, and communities with a low ratio of private parking spaces to households or a high ratio of multi-unit dwellings to single-family homes.

Basic NEVI Grant Requirements

- EV charging stations **no more than 50 miles apart** along the State Alternative Fuel Corridors, and **within 1 travel mile of the Interstate.**
- **Must be open to the general public** without proprietary equipment or memberships.
- Must have minimum charging station power capability at or above 600kW; and at least **150kW per port, simultaneously, across 4 ports for charging.**
- **Funds are targeted at private sector owned and operated facilities**, but they may be located on public or municipal property by partnering with local government.
- State program must show how it will be **consistent with [Justice40](#) guidance**

1,186
TOTAL MILES
OF AFCs



- Designated Alternative Fuel Corridors (AFC)
- - - Proposed Alternative Fuel Corridors (Pending Approval)
- EV Charging Station Locations
- NEVI-Compliant Charging Station Locations

WISCONSIN'S EXISTING EV INFRASTRUCTURE

306 Total publicly available
charging station locations

164
Charging station
locations within
one mile of AFC
exit or intersection

4
NEVI-compliant
charging station
locations

550 Tesla-only charging station locations

Source: <https://afdc.energy.gov/stations/states>. Accessed on April 21, 2022

Timeline for NEVI Program

June 22, 2022 – FHWA draft guidelines released for comments

July 2022 – WisDOT draft State NEVI Plan will be available for public comments

August 1, 2022 - State Plans must be submitted to Feds

August 22, 2022 – Comments due on draft FHWA NEVI guidelines

September 30, 2022 - The Feds will determine if State plans are approved

November 15, 2022 - The competitive grant programs will be open for business

Key Point: Stakeholders should start planning now!

You don't have to wait for the NEVI plans to be finalized to start identifying locations, finding partners and funding for the matching grants.

This is especially important for the \$2.5 billion of competitively bid proposals.

2021-22 Wisconsin Energy Issues

- 1. Community Solar**
- 2. 3rd Party Financing**

Electric Vehicles

- 3. EV Charging Rules**
- 4. \$10 Million VW Settlement Fund for EV Charging**
- 5. Direct Purchase of Electric Vehicles**
- 6. Sales Tax Exemption for Energy Storage**
- 7. PACE Financing Reform**

Political Power in Wisconsin

Political Control in Wisconsin for last 25 years

Year	97	98	99	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
<u>Gov</u>	R	R	R	R	R	R	D	D	D	D	D	D	D	D	R	R	R	R	R	R	R	R	D	D	D
<u>Senate</u>	D	R	D	D	D	D	R	R	R	R	D	D	D	D	R	R	R	R	R	R	R	R	R	R	R
<u>House</u>	R	R	R	R	R	R	R	R	R	R	R	R	D	D	R	R	R	R	R	R	R	R	R	R	R

Governor – Tony Evers (D)

State Senate – 33 seats - GOP 21 to 12 = 5 Vote Majority

State Assembly – 99 Seats - GOP 61 to 38 = 12 Vote Majority

267 of 1,198 bills introduced were signed into law. Evers vetoed 98 bills, a new record.

Expanded Development of Community Solar

Allow non-utility community solar projects. Allows people who don't have the financial ability or suitable building to benefit from solar by subscribing to a shared project of 5 MW or less. ([SB 490](#) / [AB 527](#))

Require local investor-owned utilities to provide credits on utility bills of subscribers for the energy generated by the community solar project.

Directs the PSC to develop rules that will establish fair credit rates and compensation to utilities for use of utility infrastructure and billing.

Assembly: Committee on Energy and Utilities. Failed to pass.

Senate: Committee on Utilities, Technology and Telecommunications. Failed to pass.

|Community Solar Rollcall

Combined Organizations and Businesses in Support of Community Solar Legislation ([SB 490/AB 527](#)):

1. RENEW Wisconsin
2. Wisconsin Conservative Energy Forum
3. Citizens Utility Board of Wisconsin
4. Coalition for Community Solar Access
5. Associated Builders and Contractors of Wis.
6. Wisconsin Realtors Association
7. NAIOP – Commercial Real Estate Development Association, Wisconsin Chapter
8. Kohler Co.
9. Generac Power Systems, Inc.
10. Wisconsin Medical Society
11. Advocate Aurora Health
12. Wisconsin Health Professionals for Climate Action
13. Wisconsin Grocers Association
14. Organic Valley
15. Wisconsin Land and Liberty Coalition
16. Conservative Energy Network
17. City of Milwaukee
18. Dimension Renewable Energy
19. Arch Electric
20. Northwind Solar
21. Carlson Electric
22. Convergence Energy
23. SunVenture Partners
24. Cheq Bay Renewables
25. Alternative Utility Services
26. Couillard Solar Foundation
27. Onsite Utility Services Capital
28. Midwest Renewable Energy Association
29. Vote Solar Action Fund
30. Solar United Neighbors Action
31. The Nature Conservancy
32. Clean Wisconsin
33. Wisconsin Environment
34. Wisconsin's Green Fire
35. 350 Madison
36. Faith & Solar
37. Jewish Wisconsin Initiative for a Sustainable Environment (J-WISE)
38. Ho-Chunk Nation

Community Solar Opposition

Utilities Against:

1. WEC Energy Group, Inc.
2. Alliant Energy
3. Northern States Power d/b/a Xcel Energy
4. Madison Gas & Electric Company
5. Dairyland Power Cooperative
6. WPPI Energy

Utility Associations Against:

7. Wisconsin Utilities Association Inc
8. Wisconsin Electric Cooperative Association
9. Municipal Electric Utilities of Wisconsin
10. Cooperative Network
11. Customers First! Coalition
12. Fair Rates for Wisconsin's Dairyland (FRWD)
13. Wisconsin Utility Investors, Inc.

Unions Against:

14. International Brotherhood of Electrical Workers
Construction Electrician Local Unions
15. International Brotherhood of Electrical Workers
Utility Local Unions
16. North Central States Regional Council of Carpenters
17. Wisconsin Laborers District Council
18. Plumbers Local 75
19. Iron Workers District Council of the North Central
States.

Non-Utility Business Groups Against:

20. Wisconsin Manufacturers & Commerce

Registered – Other:

Wisconsin Industrial Energy Group

3rd Party Financing

Clarify that 3rd party financing/ leasing of solar equipment is legal in Wisconsin.

[\(SB 702 / AB 731\)](#)

Assembly: Committee on Energy and Utilities. Failed to pass.

Senate: Committee on Utilities, Technology and Telecommunications. Failed to pass.

Petitions for Declaratory Ruling at the PSC:

On May 26th separate petitions were filed by **MREA** and **Vote Solar** asking the PSC to clarify this long-simmering issue.

By end of July the PSC will decide whether to accept the petitions.

If they do, there will be a proceeding and public comments will be accepted.

Electric Vehicle Legislation

EV Charging Rules – Clarify that selling electricity by the kilowatt hour to electric vehicles (EV's) does not subject EV charging station owners to utility regulation. ([AB 588](#) / [SB 573](#))

- **All energy sold must come from local utility, limiting Solar+Storage EV charger availability.**
- **No political subdivision or the State may own, operate or control a charging facility.**
Municipalities can authorize a utility or private entity to operate a charger on their property.
- **Assembly required DOT to study future road funding, including a miles traveled tax.**

Senate: Failed to Pass on vote of 31-0 (3/8/2022).

Electric Vehicle Legislation continued...

Use \$10 million of VW Settlement Funds for EV Charging Station Grants – ([SB 663](#)/[AB 695](#))

Senate: Committee on Transportation and Local Government. Passed committee 5-0 on 1/19/2022. Failed to pass.

Assembly: Committee on Energy and Utilities. Failed to pass.

Direct Purchase of Electric Vehicles - Allow electric vehicle manufacturers to deliver and service vehicles in Wisconsin using online sales without going through a 3rd party dealership. ([SB 462](#) / [AB 439](#))

Senate: Senate Gov. Operations Committee. Passed committee 4-1, Failed to pass.

Assembly: Committee on Transportation. Failed to pass.

Other Legislation

Sales Tax Exemption for Energy Storage – Clarify that battery storage devices installed as part of a renewable energy system should be included in the sales tax exemption that already exists for renewable energy system equipment.

([SB 672](#) / [AB 710](#))

Assembly: Committee on Ways and Means. Failed to pass.

Senate: Committee on Financial Institutions and Revenue. Failed to pass.

PACE Financing Modernization – ([SB 692](#)) Expanded the type of projects that may be financed to include energy reliability improvements, weather-related resiliency projects, electric vehicle charging infrastructure, and stormwater control measures.

- Disclosure Requirements. Defines the term of the repayment period, providing clarity that financing may be repaid through a lien, and ensuring that mortgage holders provide written consent before the issuance of financing.
- Removes the requirement for energy and water savings to exceed project costs, and would instead require that the owner obtain a third-party assessment of the anticipated energy and water cost savings from the proposed project,
- Prohibits the use of PACE financing for residential units of less than 5 units.

Assembly: Passed on a voice Vote on 2/23/22.

Senate: Passed 32-0 on 2/15/22. Signed by Governor (Wis Act 175)

Democratic Forward on Climate Package

November 15, 2021

1. Social Cost of Carbon (Same as 2019)
2. School Weatherization grants (same as 2019)
3. Carbon Sequestration/Sustainable Agriculture
4. On-bill financing
5. Biodigester Grants
6. UW Extension Climate Science Positions
7. Focus on Energy Program Increase
8. Focus on Energy Low Income Household Program
9. County Conservation Staff for Climate Resilience
10. Food Waste Reduction Pilot
11. Climate Change Local Planning
12. Complete Streets
13. Long-Range Transportation Planning
14. Urban Forestry Grants
15. Model Climate Academic Standards
16. Climate-Focused HEAB Scholarships
17. Commercial & Residential Stretch Energy Codes
18. Racial Disparity Impact Studies
19. Wisconsin Climate Corps
20. Green Jobs Training Grants
21. Energy Innovation Grant Program
22. Shoreline Erosion Control Revolving Loan Program

Priority Issues for 2023-24

- **3rd Party Financing/Leasing**
- **Expanded Development of Community Solar**
- **EV Charging Rules** – *Charge by the kWh; Allow Non-Utility Solar+Storage; Limiting Government Ownership; Long Term Road Funding.*
- **Use \$10 million of VW Funds for EV Charging Station Grants**
- **Allow Direct Purchase of Electric Vehicles**
- **Energy Storage Sales Tax Exemption**
- **Create a System to Measure Carbon Emissions for Animal Agriculture Operators.**
([SB1054](#) / [AB 1072](#))

Primary Elections: August 9th
General Elections: November 8th

2022 Elections

Governor – Tony Evers (D) vs. (R) Rebecca Kleefisch (46%) or Tim Michels (47%)
[June 22 Marquette Poll: Evers 47% over Kleefisch 43% and Evers 48% over Michels 41%]

US Senate – Ron Johnson (R) vs. (D) Mandela Barnes (25%) or Alex Lasry (21%)
[Barnes 46% over Johnson 44%; Godlewski 45% over Johnson 43%; Johnson 45% over Lasry 42%]

Congress – 3rd District. Ron Kind (D) retired. Derrick Van Orden (R) vs. Brad Pfaff (D)

State Senate – 33 seats; GOP Majority 21 – 12. **1 seat for Super Majority. 5 seats to flip.**

State Assembly – 99 Seats – GOP Majority 61 to 38. **5 seats for SM. 12 seats to flip.**

\$700 million could be spent by all candidates!

Questions?

