

Cardinal- Hickory Creek

TRANSMISSION LINE PROJECT

Nov. 2, 2021

JOINT RESPONSE ON MOTION FOR PRELIMINARY INJUNCTION IN FEDERAL DISTRICT COURT FOR WESTERN WISCONSIN

American Transmission Co., ITC Midwest and Dairyland Power Cooperative

While we are disappointed with the Nov. 1 ruling by the Federal District Court for the Western District of Wisconsin to issue a preliminary injunction on the Cardinal-Hickory Creek Transmission Line Project, we are pleased that the court ruling only applies to a small portion of the project in Wisconsin. The co-owners had voluntarily agreed to avoid construction in these wetlands until Nov. 29 as a showing of good faith and cooperation to the Court and other parties.

The preliminary injunction issued relates to one of the federal permits for the project and only impacts an area of 15.56 acres of federal jurisdictional waters along the 87-mile Wisconsin project segment. This ruling is specific to the permit itself and will continue until the Court issues a decision on the parties' cross motions for summary judgment. Therefore, the utilities can continue project construction in Wisconsin in areas not affected by the preliminary injunction.

American Transmission Co., ITC Midwest and Dairyland Power Cooperative believe this project stands on its merits. The Cardinal-Hickory Creek project is needed more today than when initially approved by the Public Service Commission of Wisconsin in 2019. Currently there are 114 generation projects, including 108 with more than 17 gigawatts of renewable generation, dependent upon its construction – enough to power millions of homes with clean energy. This includes nearly 1.5 gigawatts of renewable generation from Wisconsin.

Numerous subject matter experts and third parties filed declarations with the Court in support of this project, including: Vanasse Hangen Brustlin Inc., NERA Economic Consulting, RENEW Wisconsin, WPPI Energy, ALLETE Clean Energy, Pattern Energy, Midcontinent Independent System Operator, American Clean Power, Minnesota Center for Environmental Advocacy, Clean Grid Alliance, EDF Renewables and Madison Gas & Electric / Wisconsin Public Service / WEC Energy Group, as owners of the Badger Hollow Solar Farm. These affirmations to the Court further underscore the necessity of the project.

The utilities are committed to completing this project, which will reduce energy costs, improve electric grid reliability, relieve congestion on the transmission system, support decarbonization goals and help support the interconnection of renewable generation in the Upper Midwest.