

123 FERC ¶ 61,307  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

June 26, 2008

In Reply Refer To:  
Wisconsin Power and Light Company  
Docket Nos. ER08-891-000  
ER08-911-000  
ER08-924-000

Alliant Energy Corporate Services, Inc.  
4902 North Biltmore Lane  
Madison, WI 53718

Attention: Jeffrey M. Gray, Esq.  
Regulatory Attorney

Reference: Three Wholesale Power Agreements

Dear Mr. Gray:

1. Wisconsin Power and Light Company (Wisconsin Power) has existing, individual, wholesale power agreements (Power Agreements) with three rural electric cooperative associations, Adams Columbia Electric Cooperative (Adams Columbia), Rock Energy Cooperative (Rock Energy), and Central Wisconsin Electric Cooperative (Central Wisconsin) (collectively, the Customers).<sup>1</sup>

2. On behalf of Wisconsin Power, Alliant Energy Corporate Services, Inc. (Alliant Services),<sup>2</sup> submitted to the Commission for filing three new wholesale power agreements (New Agreements): Adams Columbia (Docket No. ER08-891-000, filed on April 30, 2008); Rock Energy (Docket No. ER08-911-000, filed on May 2, 2008); and Central Wisconsin (Docket No. ER08-924-000, filed on May 5, 2008). Under these New Agreements, the Customers purchase from Wisconsin Power all the electricity required

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<sup>1</sup> These Power Agreements were initially dated June 8 and 9, 1999.

<sup>2</sup> Alliant Services is the services company subsidiary of Alliant Energy Corporation, the parent company of Wisconsin Power, and serves as its agent before the Commission. This order will refer to Wisconsin Power as the filing party.

for service to their retail customers and for operation of electrical equipment. The terms and conditions for service under the New Agreements are specified in the agreements and are according to the terms, conditions, and limitations of Wisconsin Power's applicable tariff, Rate Schedule W-2A, "Resale Service to Rural Cooperatives."<sup>3</sup>

3. In the cover letters to these proposed New Agreements, Wisconsin Power states that it and the Customers entered into their respective New Agreements following the completion of settlement negotiations in pending and consolidated proceedings (Docket Nos. ER06-1517-000, ER06-1518-000, and EL07-14-000).<sup>4</sup> In those consolidated proceedings, Wisconsin Power filed a Settlement Agreement on February 8, 2008, which the Settlement Judge certified to the Commission as uncontested on March 14, 2008.<sup>5</sup> This Settlement Agreement is currently pending before the Commission.<sup>6</sup> Wisconsin Power requests an effective date of April 24, 2008 for the New Agreements.

4. Notices of Wisconsin Power's filings of the New Agreements with Adams Columbia, Rock Energy, and Central Wisconsin were published in the *Federal Register*, 73 Fed. Reg. 28,105 (2008), 73 Fed. Reg. 31,847 (2008), and 73 Fed. Reg. 31,847 (2008), respectively, with motions to intervene or protests due on or before May 21, 2008, May 23, 2008, and May 27, 2008, respectively. Badger Cooperative Group (Badger) filed a motion to intervene and supportive comments in each proceeding.

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<sup>3</sup> Wisconsin Power FERC Electric Tariff Original Volume 13, effective January 1, 2005. *See Wisconsin Power & Light Co.*, 109 FERC ¶ 61,130 (2004), *order approving uncontested settlement*, 115 FERC ¶ 61,122 (2006).

<sup>4</sup> On December 22, 2006, the Commission accepted for filing and suspended Wisconsin Power's proposed changes to the rates it charges partial and full requirements customers (Docket No. ER06-1517-000) and full requirements customers (Docket No. ER06-1518-000) under Rate Schedule W-2A and Rate Schedule W-3A, "Total Requirements Resale Service," (Wisconsin Power FERC Electric Tariff Original Volume 12), and set the proposed rate changes for hearing and settlement judge procedures. Docket No. EL07-14-000, which was consolidated with these procedures, concerns a related complaint against Wisconsin Power (Docket No. EL07-14-000). *See Wisconsin Power & Light Co.*, 117 FERC ¶ 61,322 (2006).

<sup>5</sup> *Wisconsin Power & Light Co.*, 122 FERC ¶ 63,009 (2008).

<sup>6</sup> On May 20, 2008, the Chief Administrative Law Judge issued an order granting Wisconsin Power the authority to institute the Settlement Agreement's formula rate for wholesale power services, subject to true-up or refund, on an interim basis pending Commission consideration of the Settlement Agreement. *Wisconsin Power & Light Co.*, Docket No. ER06-1517-000 (May 20, 2008) (unpublished order).

Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2008), the timely, unopposed motions to intervene serve to make Badger a party to each proceeding.

5. We find that, with the exceptions discussed below, the proposed New Agreements are just and reasonable. Accordingly, we conditionally accept and suspend for a nominal period the proposed New Agreements, and make them effective April 24, 2008, as requested, subject to refund. Additionally, because certain of the rates, terms and conditions in the proposed New Agreements are based on the Settlement Agreement currently pending before the Commission, we make them subject to the outcome of the pending Settlement Agreement proceeding.<sup>7</sup>

6. The proposed New Agreements do not fully comply with sections 35.1 and 35.2 of the Commission's Regulations, 18 C.F.R. §§ 35.1-35.2 (2008), which require rate schedules to set forth in writing, clearly and specifically, all rates, terms, and conditions for sales of electric energy subject to the Commission's jurisdiction. Exhibit B of each filing consists of only the cover page to the applicable rate schedule and does not set forth the rest of the applicable rate schedule. The proposed New Agreements also do not fully comply with the designation requirements set forth in Order No. 614<sup>8</sup> because the agreements are not clearly designated as either stand-alone rate schedules or as service agreements under a FERC tariff. Therefore, we direct Wisconsin Power to file the individual New Agreements, revised to comply with the Commission's regulations and the requirements of Order No. 614, within 30 days of the date of this order.

By direction of the Commission.

Nathaniel J. Davis, Sr.,  
Deputy Secretary.

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<sup>7</sup> If the Commission's order on the Settlement Agreement affects the rates, terms and conditions of the proposed New Agreements, Wisconsin Power must file a compliance filing reflecting such change(s) within 30 days of the date of the Commission's order.

<sup>8</sup> *Designation of Electric Rate Schedule Sheets*, Order No. 614, FERC Stats. & Regs. ¶ 31,096 (2000).