

FORE Press Release for Thursday, November 6, 2003

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Power plant opposition group files suit against Department of Administration and others

Madison, Wisconsin – A citizen group that opposes a large new, 150-megawatt power plant on the UW Madison campus filed a lawsuit today challenging last month's decision by the Wisconsin Public Service Commission to allow construction of the plant.

The suit, filed by Friends of Responsible Energy (FORE), names the state Department of Administration (DOA), as well as the UW Board of Regents (UW), the Public Service Commission (PSC) and the Department of Natural Resources (DNR) as respondents.

According to the suit, the large Madison Gas & Electric (MGE) plant was planned and approved by the state agencies in violation of Wisconsin's Environmental Policy Act (WEPA), because the DOA and UW failed to properly evaluate the full range of reasonable alternatives to meet UW Madison's future electric and steam needs.

FORE's attorney, Glenn Stoddard, of Garvey & Stoddard, S.C., said, "We are alleging that the DOA, acting in concert with the UW, violated Wisconsin's most important environmental law by failing to perform an environmental impact statement for a new power plant that will be built on state property at a substantial cost to Wisconsin taxpayers, UW students, and MGE ratepayers."

Stoddard added, "The DOA and the UW had a legal duty to do an environmental impact statement that considered the full range of reasonable alternatives for meeting the campus's future energy needs. Unfortunately, our state agencies dropped the ball and abdicated their responsibility under Wisconsin's Environmental Policy Act."

Chamond Liu, a member of FORE, said: "Today's filing marks the continuation of FORE's principled efforts to achieve a fiscally and environmentally responsible energy solution for the UW Madison campus. It is clearer now than ever that the no-bid arrangement between UW and MGE has resulted in a bad deal for Wisconsin taxpayers, nearby residents, and tuition-paying UW students."

He continued, “FORE believes that the DOA and the UW should have seriously considered less expensive, more thermally balanced cogeneration alternatives that would have been optimized for the UW Madison campus, rather than a plant optimized for the benefit of MGE and its investors.”

Liu pointed out that appropriately sized cogeneration facilities are commonly built on top-notch American campuses to meet their electrical and steam requirements. “In comparison to the 150-megawatt MGE plant, a thermally balanced cogeneration facility, owned and operated by the State of Wisconsin rather than MGE, would be less expensive for Wisconsin taxpayers, healthier for neighborhood children, and would provide more backup power for critical campus functions.” Since 2000, the DOA and the UW have worked exclusively with MGE on this project, committing substantial state funds to it and disregarding studies showing the superiority of smaller state-owned alternatives.

Discussing FORE’s legal fund, Liu said, “Madison Physicians for Social Responsibility’s (PSR) efforts to highlight the public health aspects of this case added to the outpouring of support we received from the community, helping us reach our funding goals for making today’s action possible.” He expressed confidence that the ongoing legal effort would be well funded by additional contributions.

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FORE (Friends of Responsible Energy) is a Madison grass-roots organization that promotes responsible energy solutions. For both environmental and fiscal reasons, FORE opposes the construction of a 150-MW MGE power plant on the UW-Madison campus.

FORE also believes that MGE political contributions, thus far documented at more than \$350,000 -- most of which was sent across state borders -- were instrumental in garnering political support for the plant.

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Madison PSR (Physicians for Social Responsibility) is a group of health professionals and students who work to reduce the adverse health effects of environmental pollution, prevent violence, and promote access to affordable health care. It also seeks to eliminate weapons of mass destruction.

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MGE (Madison Gas and Electric), is an investor-owned utility that services about 130,000 electric customers in Dane County. Its electric rates are the highest in Wisconsin