



Before The
State Of Wisconsin
DIVISION OF HEARINGS AND APPEALS

In the Matter of the Wisconsin Pollutant Discharge
Elimination System Permit No. WI-0000965-09-0
(WPDES Permit) Issued to Wisconsin Public
Service Corporation (Pulliam)

Case No. DNR-13-056

In the Matter of the Wisconsin Pollutant Discharge
Elimination System Permit No. WI-0000965-09-0
(WPDES Permit) Issued to Wisconsin Public
Service Corporation (Pulliam)

Case No. DNR-13-066

PREHEARING CONFERENCE REPORT
AND
SCHEDULING ORDER

On July 28, 2014, a telephone prehearing conference was held in the above-captioned matter by the Division of Hearings and Appeals (Division), Jeffrey D. Boldt, presiding.

This report is filed pursuant to Wis. Stat. § 227.44(4)(b).

The PARTIES to this proceeding are certified as follows:

Department of Natural Resources (DNR), by

Attorney Cheryl W. Heilman
DNR
PO Box 7921
Madison, WI 53707-7921

Wisconsin Public Service Corporation (Pulliam), by

Attorney Linda E. Benfield
Attorney Sarah A. Slack
Foley & Lardner, LLP
PO Box 1497
Madison, WI 53703-1497

Sierra Club (Sierra Club), by

Attorney James N. Saul
McGillivray, Westerberg & Bender, LLC
211 South Paterson Street, Suite 320
Madison, WI 53703

1. The parties to this proceeding shall exchange fact witness lists no later than November 3, 2014. On December 1, 2014, the parties shall identify all expert witnesses. These lists shall contain the names and addresses of the witnesses, the affiliations of the witnesses, and the general subject to be covered by the witnesses.

2. The parties have agreed to provide written prefiled testimony. Sierra Club's direct testimony is due February 2, 2015. DNR and Pulliam's testimony is due by April 1, 2015.

3. Discovery shall begin September 1, 2014, and shall be completed by June 1, 2015. The usual rules of civil procedure shall govern time limits for discovery.

4. A telephone status conference will be held at 10:00 a.m. on June 5, 2015. The Division of Hearings and Appeals will initiate the call.

5. All dispositive motions, including motions for summary judgment, and accompanying briefs shall be filed by July 1, 2015. Response briefs shall be filed by opposing counsel by July 31, 2015. Any reply is due by August 14, 2015.

6. A second telephone status conference will be held at 10:00 a.m. on September 25, 2015. The Division of Hearings and Appeals will initiate the call.

7. Any non-dispositive prehearing motions shall be filed by November 23, 2015.

8. The parties to this proceeding shall exchange exhibits and file the same by November 23, 2015. The parties shall bind and pre-mark the exhibits. The following numbers are assigned:

1-99	-	Sierra Club
100-199	-	DNR
200-299	-	Pulliam

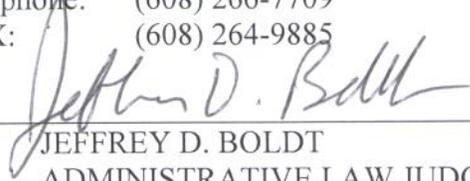
9. All issues in Pulliam's Petition and Issues Four and Five of the Sierra Club's Petition are stayed pending an anticipated permit modification. The Department and permit-holder would have preferred to stay all issues, and the Sierra Club would have preferred to also take up Issue Four in this hearing.

10. The contested case hearing will commence at 10:00 a.m. on November 30, 2015, at the offices of the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, Wisconsin. It will continue on December 1-4, 2015, at the same location.

Dated at Madison, Wisconsin on July 30, 2014.

STATE OF WISCONSIN
DIVISION OF HEARINGS AND APPEALS
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Madison, Wisconsin 53705
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By



JEFFREY D. BOLDT
ADMINISTRATIVE LAW JUDGE