



Public Service Commission of Wisconsin

Phil Montgomery, Chairperson
Eric Callisto, Commissioner
Ellen Nowak, Commissioner

610 North Whitney Way
P.O. Box 7854
Madison, WI 53707-7854

December 19, 2012

Mr. Kenneth Johnson
Administrator, Division of Water
Wisconsin Department of Natural Resources
101 S. Webster Street, P.O. Box 7921
Madison, WI 53707-7921

Re: Waukesha Water Utility Great Lakes Diversion Project
Application

6240-GF-100

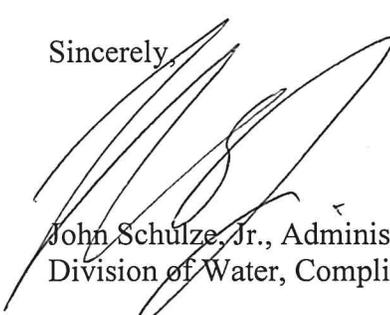
Dear Mr. Johnson:

We received the executed letter of intent to supply water between the City of Waukesha (Waukesha) and the Oak Creek Water Utility. Waukesha provided this letter of intent to the Department of Natural Resources in support of its application for a diversion of Great Lakes water under the Great Lakes –St. Lawrence River Basin Water Resources Compact.

As noted in my letter dated June 18, 2012, the Commission has authority to set rates and approve wholesale agreements between utilities, and to review and approve the construction of utility facilities. (Wis. Stat. §§ 196.02, 196.49.) After reviewing the materials, the Commission has determined that the letter of intent is neither an agreement that requires approval by the Commission nor an application to construct facilities. Thus, no further action is necessary from the Commission at this time. If and when a service agreement or a construction application relating to the matters addressed in the letter of intent is filed with the Commission, the Commission will review and take appropriate action at that time.

If you need additional information, please do not hesitate to contact me at (608) 267-7829 or by email at John.Schulze@Wisconsin.Gov.

Sincerely,



John Schulze, Jr., Administrator
Division of Water, Compliance and Consumer Affairs

JJS:ASK:JJR:pc:DL:00611498 6240-GF-226 Letter to DNR.docx