

FILED
07-13-2026
Ozaukee County, WI
Connie Mueller CoCC
2026CV000256

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH 3

OZAUKEE COUNTY

ORACLE AMERICA CLOUD SERVICES LLC,

Petitioner,

v.

Case No. 2026CV000256

Case Code: 30607

Administrative Agency Review

PUBLIC SERVICE COMMISSION OF
WISCONSIN

Respondent.

STATEMENT OF POSITION OF CLEAN WISCONSIN

Petitioner Oracle America Cloud Services LLC (“Oracle”) seeks review of the Final Decision made by the Public Service Commission of Wisconsin (“Commission”) regarding Wisconsin Electric Power Company’s (“WEPCO”) new Very Large Customer (“VLC”) Tariff and Bespoke Resource Tariff. Clean Wisconsin was party to the proceeding before the Commission in docket No. 6630-TE-113 and, therefore, can participate in this proceeding by right pursuant to Wis. Stat. § 227.53(1)(d). Clean Wisconsin, pursuant to Wis. Stat. § 227.53(2), hereby submits its Statement of Position in response to the Petition for Judicial Review of the Commission’s Final Decision signed and served on May 21, 2026 in Commission docket No. 6630-TE-113 (“Final Decision”).

STATEMENT OF POSITION

The Commission appropriately exercised its authority in determining just and reasonable rates for WEPCO’s VLCs. The Court should affirm the Commission’s Final Decision.

Clean Wisconsin reserves the right, following transmission of the record to the Court, to seek leave to move to strike any allegations referencing information beyond the scope of the record of the 6630-TE-113 proceeding from the Petition. Subject to and without waiving its objections, Clean Wisconsin responds as follows with respect to each correspondingly numbered allegation in the Petition:

PARTIES

1. As to Paragraph 1, Clean Wisconsin lacks information or knowledge sufficient to form a belief as to the accuracy of Petitioner's address, product offerings, and corporate structure, and therefore denies the allegations. Additionally, allegations regarding the corporate structure involving Oracle America Cloud Services LLC and Oracle Corporation are legal conclusions to which no response is required. To the extent that a response to any remaining allegations is required, Clean Wisconsin denies the allegations.

2. As to Paragraph 2, Clean Wisconsin admits that Oracle plans to develop the Lighthouse Data Center campus in Port Washington, Ozaukee County, Wisconsin in partnership with various other entities. Clean Wisconsin lacks information or knowledge to form a belief as to the remaining allegations and therefore denies them. The record evidence in Commission docket 6630-TE-113 speaks for itself and is the best evidence of its contents. Clean Wisconsin denies any allegations inconsistent with that record evidence.

3. As to Paragraph 3, Clean Wisconsin lacks information or knowledge sufficient to form a belief as to the truth of the allegations and therefore denies the allegations.

4. As to Paragraph 4, Clean Wisconsin lacks information or knowledge sufficient to form a belief as to the truth of the allegations and therefore denies the allegations. The Final

Decision in Commission docket 6630-TE-113 speaks for itself and is the best evidence of its contents. Clean Wisconsin denies any allegations inconsistent with the Final Decision.

5. As to Paragraph 5, Clean Wisconsin states that the cited statutes speak for themselves and are the best evidence of their contents. Any legal conclusions in Paragraph 5 do not require a response. To the extent that a response is required, Clean Wisconsin denies the allegations.

6. Paragraph 6 seeks legal conclusions or consists of legal arguments to which no response is required. Wis. Stat. §§ 196.01 *et seq.* speak for themselves and represent the best evidence of their contents. Clean Wisconsin denies any allegations inconsistent with the statutes.

JURISDICTION, VENUE, AND STANDING

7. Paragraph 7 contains legal conclusions or legal arguments to which no response is required. Wis. Stat. §§ 227.52 *et seq.* speak for themselves and are the best evidence of its content. To the extent a response is required, Clean Wisconsin denies any allegations inconsistent with those statutes.

8. Paragraph 8 seeks legal conclusions or consists of legal arguments to which no response is required. To the extent a response is required, Clean Wisconsin denies the allegations.

9. Paragraph 9 seeks legal conclusions or consists of legal arguments to which no response is required. To the extent a response is required, Clean Wisconsin denies the allegations.

BACKGROUND

10. As to Paragraph 10, Clean Wisconsin admits that WEPCO is an investor-owned electric, natural gas, and steam public utility providing electric, natural gas, and steam service in

eastern Wisconsin. Wis. Stat. § 196.01(5) speaks for itself and is the best evidence of its contents, and Clean Wisconsin denies any allegations inconsistent with that statute.

11. As to Paragraph 11, Clean Wisconsin admits that WEPCO has different rate schedules with rates, terms, and conditions for different customer classes.

12. As to Paragraph 12, Clean Wisconsin admits that economic development and investment is occurring in southeastern Wisconsin and that data centers can consume a substantial amount of energy. Clean Wisconsin lacks information or knowledge sufficient to ascribe that investment to Oracle and therefore denies any specific attribution thereto.

13. As to Paragraph 13, Clean Wisconsin admits WEPCO developed and requested Commission approval of the VLC Tariff and the Bespoke Resources Tariff, along with the template service agreements. The Final Decision and record evidence in Commission docket 6630-TE-113 speak for themselves, are the best evidence of their contents. Clean Wisconsin denies any allegations inconsistent with the Final Decision and record evidence.

14. As to Paragraph 14, the Final Decision and record evidence in Commission docket 6630-TE-113 speak for themselves, are the best evidence of their contents. Clean Wisconsin denies any allegations inconsistent with the Final Decision and record evidence.

15. As to Paragraph 15, the Final Decision and record evidence in Commission docket 6630-TE-113 speak for themselves, are the best evidence of their contents, and Clean Wisconsin denies any allegations inconsistent with the Final Decision and record evidence.

16. As to Paragraph 16, the Final Decision and record evidence in Commission docket 6630-TE-113 speak for themselves, are the best evidence of their contents, and Clean Wisconsin denies any allegations inconsistent with the Final Decision and record evidence.

17. As to Paragraph 17, the Final Decision and record evidence in Commission docket 6630-TE-113 speak for themselves, are the best evidence of their contents, and Clean Wisconsin denies any allegations inconsistent with the Final Decision and record evidence.

18. Paragraph 18 seeks legal conclusions or consists of legal arguments to which no response is required. The cited statutes speak for themselves and are the best evidence of their contents and Clean Wisconsin denies any allegation inconsistent with those statutes.

19. Paragraph 19 seeks legal conclusions or consists of legal arguments to which no response is required. The cited case speaks for itself and is the best evidence of its contents and Clean Wisconsin denies any allegation inconsistent with that case.

FACTS

20. As to Paragraph 20, Clean Wisconsin responds that the record in Commission docket No. 6630-TE-113 speaks for itself, and is the best evidence of its contents. Clean Wisconsin denies any allegation inconsistent with that record evidence and does not respond to any legal contentions or legal arguments. To the extent that a response is required, Clean Wisconsin denies the allegation.

21. As to Paragraph 21, Clean Wisconsin lacks information or knowledge sufficient to form a belief as to the basis of any negotiations between WEPCO and Petitioner. The record in Commission docket No. 6630-TE-113 speaks for itself and the documents in the record are the best evidence of their contents. Clean Wisconsin denies any allegation inconsistent with that record evidence.

22. As to Paragraph 22, Clean Wisconsin responds that the record in Commission docket No. 6630-TE-113 speaks for itself and the documents in the record are the best evidence of their contents. Clean Wisconsin denies any allegation inconsistent with that record evidence

and does not respond to any legal conclusions or legal arguments. To the extent that a response is required, Clean Wisconsin denies the allegation.

23. As to Paragraph 23, Clean Wisconsin responds that the record in Commission docket No. 6630-TE-113 speaks for itself and the documents in the record are the best evidence of their contents. Clean Wisconsin denies any allegation inconsistent with those record documents and does not respond to any legal contentions or legal arguments. To the extent that a response is required, Clean Wisconsin denies the allegation.

24. As to Paragraph 24, Clean Wisconsin responds that the record in Commission docket No. 6630-TE-113 speaks for itself and is the best evidence of its contents. Clean Wisconsin denies any allegation inconsistent with that evidence and does not respond to any legal conclusions or legal arguments. To the extent that a response is required, Clean Wisconsin denies the allegations.

25. As to Paragraph 25, Clean Wisconsin responds that the record in Commission docket No. 6630-TE-113 speaks for itself and is the best evidence of its contents. Clean Wisconsin denies any allegation inconsistent with that record evidence and does not respond to any legal conclusions or legal arguments. To the extent that a response is required, Clean Wisconsin denies the allegation.

26. As to Paragraph 26, Clean Wisconsin responds that the record in Commission docket No. 6630-TE-113 speaks for itself and is the best evidence of its contents. Clean Wisconsin denies any allegation inconsistent with that record evidence and does not respond to any legal conclusions or legal arguments. To the extent that a response is required, Clean Wisconsin denies the allegation.

27. As to Paragraph 27, Clean Wisconsin responds that the record in Commission docket No. 6630-TE-113 speaks for itself and is the best evidence of its contents. Clean Wisconsin denies any allegation inconsistent with that record evidence and does not respond to any legal conclusions or legal arguments. To the extent that a response is required, Clean Wisconsin denies the allegation.

28. As to Paragraph 28, Clean Wisconsin responds that the record in Commission docket No. 6630-TE-113 speaks for itself and is the best evidence of its contents. Clean Wisconsin denies any allegation inconsistent with that record evidence and does not respond to any legal conclusions or legal arguments. To the extent that a response is required, Clean Wisconsin denies the allegation.

29. As to Paragraph 29, Clean Wisconsin responds that the record in Commission docket No. 6630-TE-113 speaks for itself and is the best evidence of its contents. Clean Wisconsin denies any allegation inconsistent with that record evidence and does not respond to any legal conclusions or legal arguments. To the extent that a response is required, Clean Wisconsin denies the allegation.

30. Paragraph 30 seeks legal conclusions or consists of legal arguments to which no response is required. To the extent a response is required, Clean Wisconsin denies the allegations.

31. As to Paragraph 31, the record evidence in Commission docket 6630-TE-113 speaks for itself and is the best evidence of its contents, and Clean Wisconsin denies any allegations inconsistent with that record evidence.

32. As to Paragraph 32, the record evidence in Commission docket 6630-TE-113 speaks for itself and is the best evidence of its contents, and Clean Wisconsin denies any allegations inconsistent with that record evidence.

33. As to Paragraph 33, the record evidence in Commission docket 6630-TE-113 speaks for itself and is the best evidence of its contents, and Clean Wisconsin denies any allegations inconsistent with that record evidence.

34. As to Paragraph 34, the Final Decision and record evidence in Commission docket 6630-TE-113 speak for themselves and are the best evidence of their contents, and Clean Wisconsin denies any allegations inconsistent with that record evidence.

35. As to Paragraph 35, the Final Decision and record evidence in Commission docket 6630-TE-113 speak for themselves and are the best evidence of their contents, and Clean Wisconsin denies any allegations inconsistent with that record evidence.

36. As to Paragraph 36, the Final Decision and record evidence in Commission docket 6630-TE-113 speak for themselves and are the best evidence of their contents, and Clean Wisconsin denies any allegations inconsistent with that record evidence.

37. Clean Wisconsin admits the allegations contained in Paragraph 37. The record evidence in Commission docket 6630-TE-113 speaks for itself and is the best evidence of its contents, and Clean Wisconsin denies any allegations inconsistent with that record evidence.

38. As to Paragraph 38, the record evidence in Commission docket 6630-TE-113 speaks for itself and is the best evidence of its contents, and Clean Wisconsin denies any allegations inconsistent with that record evidence. To the extent that a response is required as unconstrained by the record for the Final Decision, Clean Wisconsin admits that WEPCO, Vantage, and Cloverfield filed a Joint Petition for Reopening or Rehearing on June 10, 2026.

The Joint Petition speaks for itself and is the best evidence of its contents, and Clean Wisconsin denies any allegations inconsistent with that petition.

39. Paragraph 39 seeks legal conclusions or consists of legal arguments to which no response is required. To the extent a response is required, Clean Wisconsin denies any allegations inconsistent with the cited statute.

40. As to Paragraph 40, Clean Wisconsin lacks information or knowledge sufficient to form a belief as to the truth of the allegations. To the extent Paragraph 40 seeks legal conclusions or consists of legal arguments, no response is required. To the extent that a response to any remaining allegations is required, Clean Wisconsin denies the allegations.

41. As to Paragraph 41, Clean Wisconsin lacks information or knowledge sufficient to form a belief as to the truth of the allegations. To the extent that a response is required, Clean Wisconsin denies the allegations.

42. Paragraph 42 seeks legal conclusions or consists of legal arguments to which no response is required. To the extent a response is required, Clean Wisconsin denies the allegations.

43. Paragraph 43 seeks legal conclusions or consists of legal arguments to which no response is required. To the extent a response is required, Clean Wisconsin denies the allegations.

44. Paragraph 44 seeks legal conclusions or consists of legal arguments to which no response is required. To the extent that a response is required, Clean Wisconsin denies the allegations.

45. Paragraph 45 seeks legal conclusions or consists of legal arguments to which no response is required. To the extent that a response is required, Clean Wisconsin denies the allegations.

46. As to Paragraph 46, Wis. Stat. § 227.49(5) speaks for itself and is the best evidence of its contents, and Clean Wisconsin denies any allegations inconsistent with that statute.

47. The allegations in Paragraph 47 seek legal conclusions or consist of legal arguments to which no response is required. To the extent that a response is required, Clean Wisconsin denies the allegations.

CLAIMS

48. Paragraph 48 seeks legal conclusion or contains legal arguments to which no response is required. To the extent a response is required, Clean Wisconsin denies the allegations and affirmatively responds that the Petitioner's request for relief should be denied.

COUNT ONE:

49. As to Paragraph 49, Clean Wisconsin reincorporates all responses as provided above by reference.

50. Paragraph 50 seeks legal conclusions or consists of legal arguments to which no response is required. To the extent that a response is required, Clean Wisconsin denies the allegations. Clean Wisconsin affirmatively responds that the Petitioner's request for relief should be denied.

51. As to Paragraph 51, the Final Decision speaks for itself and is the best evidence of its contents, and Clean Wisconsin denies any allegations inconsistent with the Final Decision.

52. Paragraph 52 seeks legal conclusions or consists of legal arguments to which no response is required. To the extent that a response is required, Clean Wisconsin denies the allegations.

53. Paragraph 53 seeks legal conclusions or consists of legal arguments to which no response is required. To the extent that a response is required, Clean Wisconsin denies the allegations.

54. Paragraph 54 seeks legal conclusions or consists of legal arguments to which no response is required. To the extent that a response is required, Clean Wisconsin denies the allegations.

55. Paragraph 55 seeks legal conclusions or consists of legal arguments to which no response is required. The Final Decision and record evidence in Commission docket 6630-TE-113 speak for themselves and are the best evidence of their contents, and Clean Wisconsin denies any allegations inconsistent with the Final Decision and record evidence in Commission docket 6630-TE-113. To the extent a response is required, Clean Wisconsin denies the allegations.

COUNT TWO:

56. As to Paragraph 56, Clean Wisconsin reincorporates all responses as provided above by reference.

57. Paragraph 57 seeks legal conclusions or consists of legal arguments to which no response is required. The cited statute speaks for itself and is the best evidence of its contents. Clean Wisconsin denies any allegations inconsistent with that statute. To the extent that a response is required, Clean Wisconsin denies the allegations.

58. Paragraph 58 seeks legal conclusions or consists of legal arguments to which no response is required. The cited statute speaks for itself and is the best evidence of its contents.

Clean Wisconsin denies any allegations inconsistent with this statute. To the extent that a response to any remaining allegations is required, Clean Wisconsin denies the allegations.

59. Paragraph 59 seeks legal conclusions or consists of legal arguments to which no response is required. The cited cases speak for themselves and are the best evidence of their contents. Clean Wisconsin denies any allegations inconsistent with the cited cases. To the extent that a response to any remaining allegation is required, Clean Wisconsin denies the allegations.

60. Paragraph 60 seeks legal conclusions or consists of legal arguments to which no response is required. To the extent that a response is required, Clean Wisconsin denies the allegations.

61. Paragraph 61 seeks legal conclusions or consists of legal arguments to which no response is required. To the extent that a response is required, Clean Wisconsin denies the allegations.

62. Paragraph 62 seeks legal conclusions or consists of legal arguments to which no response is required. The Final Decision and record evidence in Commission docket 6630-TE-113 speak for themselves and are the best evidence of their contents, and Clean Wisconsin denies any allegations inconsistent with the Final Decision and record evidence. To the extent that a response is required, Clean Wisconsin denies the allegations.

63. Paragraph 63 seeks legal conclusions or consists of legal arguments to which no response is required. The Final Decision and record evidence in Commission docket 6630-TE-113 speak for themselves and are the best evidence of their contents, and Clean Wisconsin denies any allegations inconsistent with the Final Decision and record evidence. To the extent that a response is required, Clean Wisconsin denies the allegations.

64. Paragraph 64 seeks legal conclusions or consists of legal arguments to which no response is required. The Final Decision and record evidence in Commission docket 6630-TE-113 speak for themselves and are the best evidence of their contents, and Clean Wisconsin denies any allegations inconsistent with the Final Decision and record evidence. To the extent that a response is required, Clean Wisconsin denies the allegations.

GROUND FOR REVIEW

65. As to Paragraph 65, Clean Wisconsin affirmatively states that Wis. Stat. §§ 227.57(5)-(8) speak for themselves and are the best evidence of their contents and denies any allegations inconsistent with those statutes. Clean Wisconsin affirmatively states that any remaining allegations in Paragraph 65 are legal conclusions or consist of legal arguments to which no response is required. To the extent that a response is required, Clean Wisconsin denies the allegations.

REQUEST FOR RELIEF

The Petitioner's request for relief seeks legal conclusions or consists of legal arguments to which no response is required. Clean Wisconsin affirmatively responds that the Petitioner's request for relief should be denied.

CLEAN WISCONSIN'S AFFIRMATIVE DEFENSES

Clean Wisconsin raises the following affirmative defenses to the Petition:

1. The Petition fails to state a claim upon which relief may be granted.
2. Oracle lacks standing.
3. Oracle failed to exhaust its remedies and has waived and/or forfeited its claims here by failing to participate in the Proceeding below, despite having ample opportunity to do so.

4. The Final Decision complied with Wisconsin law.
5. The Final Decision was supported by substantial evidence.

WHEREFORE, Clean Wisconsin respectfully requests that the Court confirm their status as parties to this proceeding, deny the relief sought by Petitioner, dismiss the Petition for Judicial Review with prejudice, affirm the Commission's Final Decision dated May 21, 2026 in all respects, and grant other such relief that this Court deems just and appropriate.

Dated this 13th day of July 2026.

Respectfully submitted,

Electronically signed by Brett Korte

Brett Korte, SBN 1126374

Staff Attorney

CLEAN WISCONSIN, INC.

634 West Main Street, Suite 300

Madison, WI 53703

608.251.7020 x327

bkorte@cleanwisconsin.org

Attorney for Clean Wisconsin