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November 2, 2021

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FILED**NOV 02 2021****CLERK OF SUPREME COURT
OF WISCONSIN****VIA ELECTRONIC FILING**Sheila T. Reiff
Clerk of Court
Wisconsin Supreme Court
110 East Main Street, Suite 215
PO Box 1688
Madison, WI 53701-1688**Re: *County of Dane et al. v. Public Service Commission of Wisconsin et al.*
Appeal Nos. 21AP1321-LV, 21AP1325, and 21AP1495-W**

Dear Ms. Reiff:

On September 21, 2021, the Supreme Court of Wisconsin issued an order granting Michael Huebsch's petition for review and related motion to stay in the above-captioned appeals, seeking briefing from the undersigned, among others, with respect to the issues presented by the petition.


However, on October 8, 2021, the Driftless Area Land Conservancy and Wisconsin Wildlife Federation ("DALC/WWF")—the same petitioners who raised claims of "procedural irregularities" that the Supreme Court is reviewing in the above captioned appeals—filed an "emergency" motion for a temporary injunction to halt all construction on the Cardinal Hickory Creek 345 kV Transmission Line Project ("Project") in Wisconsin. Ten days later, the Dane County Circuit Court held a hearing and held that it would grant the motion for a preliminary injunction, effective upon DALC/WWF posting a required bond of \$32 million. On October 26, 2021, the circuit court issued a written order to that effect—i.e., enjoining all construction on the Project once the Petitioners' post the required bond—based on an erroneous analysis of the same issues currently pending before the Supreme Court.

Accordingly, and for the reasons more fully explained in the materials being submitted concurrently with this letter, Intervenor-Respondents American Transmission Company LLC and ATC Management Inc., Dairyland Power Cooperative, and ITC Midwest LLC respectfully submit the attached emergency motion and supporting memorandum and appendix for a stay of the circuit court's injunction pending the Supreme Court's resolution of this appeal.

Undersigned counsel is available at the Court's convenience to submit any additional material or information that the Court may require as it considers their motion.

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Sincerely,



Brian H. Potts

Cc: Carlos A. Pabellon, *Counsel for County of Dane* (via e-mail and U.S. mail)
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