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League of Women Voters of WI Support for AB722 and SB729

SB 729 legislation is a useful bill to address the issues confronting Wisconsin as communities around the state face proposals to locate data centers in their areas. The measure clearly defines “data center” in terms of building ownership, electronic equipment within buildings, and energy use. The legislation incorporates Wisconsin’s legal definition of large energy customer. That definition and multiple reporting requirements in the bill raise the question of whether our state government has sufficient staff, electronic software and other capacity to accurately keep pace and oversee these and other provisions of SB 729. The League of Women Voters of Wisconsin strongly supports adequate funding of state government to assure compliance with all reporting requirements of this bill.

The League also supports SB 729’s inclusion of a large energy customer fee designed to conserve energy and address climate change. The graded fee scale is based on forecast peak electricity demand and directs the Department of Administration to collect monies from large energy customers on a prescribed schedule. By depositing fifty percent of these fees in the utility public benefits fund, the bill assures the funds will support energy efficiency, renewable energy and low-income energy assistance. The remaining 50% of fees are directed to the Wisconsin Economic Development Corporation’s Green Innovation Fund to support energy efficiency and renewable projects. Importantly the bill also mandates a prevailing wage or a wage based on a collective bargaining agreement for workers who build data centers. In either case, they will be paid a fair wage that supports families and our local economies.

SB 729 rightly proposes Wisconsin utilities report their energy use, including peak demand. Yet LWWVI has two concerns: who pays the cost for regional infrastructure upgrades and who pays for the cost of reserving projected power needs on the wholesale market.

First, it is unclear whether this bill requires the total cost of regional upgrades to be paid by the very large energy users whose demand for power is the cause of those upgrades. Costs for upgrades to transmission lines, power plants and other infrastructure should be paid for by very large users themselves, rather than spread among all customers. The Union of Concerned Scientists in its Policy Brief expresses serious concerns about spreading new transmission costs

to all ratepayers. In fact, its report states “After two decades of minimal load growth, many utilities are forecasting and preparing for a 30–80 percent increase in electricity sales in 10 years (MISO 2024).” (MISO has been Wisconsin’s regional transmission organization since the late 1990’s 1 .) The League finds the UCS warning quite sobering.

Second, LWVWI is concerned that as demand from large energy users escalates, the cost of power reserved on the wholesale market is paid by the large users and not spread among all ratepayers. Spreading wholesale costs among all ratepayers has been experienced by Baltimore Gas and Electric (BGE) customers. The price BGE paid to reserve power on the wholesale market has ballooned from 28.92/MW-day in 2022 to \$329.17/MW-day (cap) in July 2025. 2 Consequently, BGE customers have seen their electric utility bills rise 27% since 2024. 2 Payment of wholesale electricity costs must be borne by those who demand extraordinary amounts of power, not by all Wisconsin’s ratepayers.

SB 729 would be more protective of our democracy, economy, ratepayers and environment if the bill included a ban on Non-Disclosure Agreements. Such agreements are undemocratic. The public has the right to know that local and state elected officials are governing in its interest, not the interest of large power users or utilities, the latter guaranteed Wisconsin’s stipulated annual rate of return of approximately 10%. Finally, as the state necessarily moves to a net-zero carbon economy by 2050 it must mandate that major new investment in energy infrastructure be based totally in renewable energy. This can be done using inexpensive wind turbine and solar panel generation and a range of energy storage technology.

1. <https://www.ucs.org/sites/default/files/2025-09/PJM%20Data%20Center%20Issue%20Brief%20-%20Sep%202025.pdf>
2. https://gregorywoodhams.substack.com/p/beware-the-data-center-pickpocket?r=zhv21&utm_medium=ios&shareImageVariant=overlay&triedRedirect=true