Hyperscale Data Centers in Wisconsin

BIG TECH UNCHECKED

A toolkit for community action

2025

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ABOUT US

Sierra Club works to promote clean energy, safeguard the health of our communities, protect wildlife, and preserve our remaining wild places through grassroots activism, public education, lobbying, and legal action. Learn more at sierraclub.org.

Midwest Environmental Advocates is a nonprofit law center that combines the power of law with the resolve of communities facing environmental injustice to secure and protect the rights of all people to healthy water, land, and air. Learn more at midwestadvocates.org.

Healthy Climate Wisconsin is a statewide nonprofit comprised of nurses, physicians, therapists, and health workers pursuing system-level environmental and climate solutions to improve patient and community health. Learn more at healthyclimatewi.org.

Wisconsin's Green Fire (WGF) is a statewide nonpartisan nonprofit organization dedicated to science-based management of natural resources. Learn more at wigreenfire.org.

INTRODUCTION

The emergence of Artificial Intelligence (AI) is changing the internet. It is also changing the physical landscape of communities across Wisconsin, as an influx of tech companies seek to build “hyperscale” data centers that support AI.

These facilities consume as much energy as mid- or large-size cities, use an enormous amount of water, and occupy hundreds or even thousands of acres. The implications are significant for Wisconsin’s communities, economy, ratepayers, and environment.

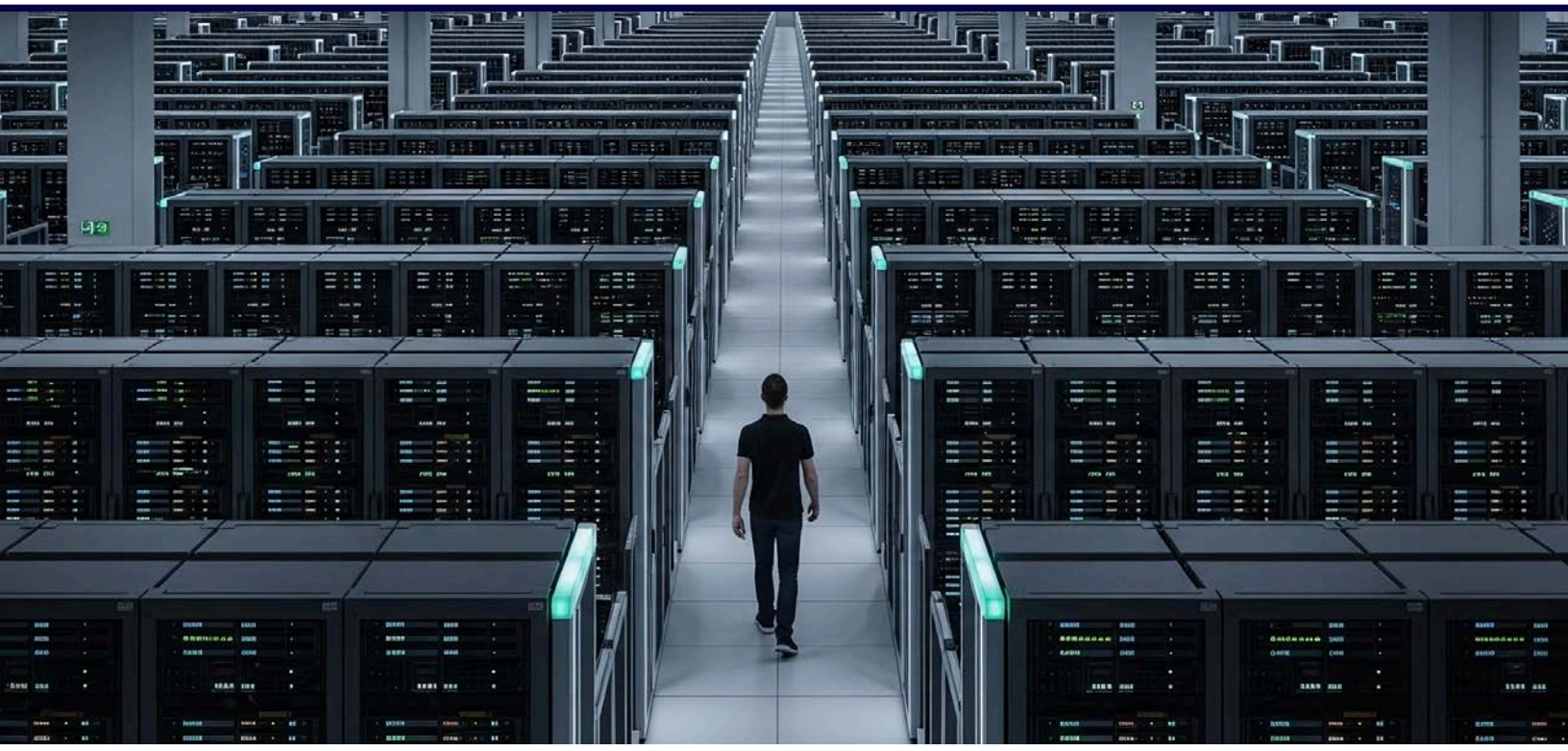
This local toolkit is meant to help Wisconsinites understand what hyperscale data centers are, what impacts they have, and what local communities and concerned citizens can do to mitigate the worst impacts.

WHAT IS A HYPERSCALE DATA CENTER?

Data centers are collections of networked computer servers used to store, process, and manage data, often accessed through the internet. Smaller data centers can be found in places like hospitals or universities, where they are often called server rooms. This report focuses on *hyperscale* data centers.

Hyperscale data centers are massive facilities built to handle enormous volumes of data. They support the growing demand for cloud computing, cryptocurrency, and, increasingly, AI.

These large-scale operations can house thousands of servers and require complex systems to manage power, data processing, and cooling.
Some hyperscale data centers are owned and operated by major tech companies like Meta (Facebook), Amazon, Google, and Microsoft. Others are developed by third-party companies that sell or lease their space to businesses that need large-scale data storage and computing power.



WHY ARE DATA CENTERS COMING TO WISCONSIN?

The release of ChatGPT in November 2022 spurred enormous private-sector investment into AI. The rapid, nationwide growth of hyperscale data centers is an attempt to build the physical infrastructure needed to support advanced AI.

Wisconsin elected officials have sought to bring data centers to the state for economic development. In 2023, Wisconsin adopted a sales tax exemption allowing large data center developers to pay no state sales tax on much of the equipment they put into a data center. When large tax breaks are given to data centers, revenue is lost for other services.

Furthermore, electric utilities like We Energies and Alliant have recruited data centers to locate in Wisconsin.

Utilities benefit from locating a large energy user like a data center in their service territory because it increases demand for electricity and allows the utility to generate greater profits by building new infrastructure. In some cases, utilities have even assembled development sites, purchased or sold land, or marketed the proposal to data center developers.

The confluence of private-sector investment, public sector support, and utility recruitment has led to an increasing number of hyperscale data centers proposals in Wisconsin.

Community members speaking out in opposition to We Energies' proposed new gas plants in southeastern Wisconsin.

IMPACTS OF DATA CENTERS : ELECTRICITY

Cooling and fueling hyperscale data centers requires unprecedented amounts of energy. Just two of the multiple data center proposals in our state, the Vantage data center in Port Washington and the Microsoft data center in Mt. Pleasant, requested 3.9 gigawatts (GW) of electric power combined. **That's far more energy than all households in Wisconsin currently use, and nearly 4 times the amount of energy used to power the city of Orlando, Florida.**

All of that energy needs to be produced and delivered to a central site, requiring new transmission lines, transformers, and other infrastructure. Since utilities in Wisconsin typically make a 9.8-10% return on equity, or profit, from all infrastructure they build, **utilities are treating these proposals as an opportunity for a big pay day and pushing developers to require even larger amounts of energy**. In Port Washington, for example, the amount of proposed energy use tripled after an offer from We Energies.

Several utilities and energy companies are already using data centers as a reason to propose new gas plants across the state.

This sudden surge in energy demand has also prompted utilities to rapidly expand their fossil fuel infrastructure. The regional grid operator (MISO), the entity responsible for ensuring there is enough energy for all of us to turn the lights on, even announced plans to fast-track gas projects.

Fossil fuels, like coal and gas, release air and water pollution that contributes to heart and lung diseases, asthma, cancers, and early deaths. Fossil fuels also worsen the climate crisis and increase extreme weather, which is already threatening Wisconsin's beloved places, people and traditions. In the summer of 2025 alone, Wisconsin families, businesses, and towns suffered major losses from wildfire smoke, 1,000-year floods, and extreme heat. More than 99% of scientists agree that we must stop burning fossil fuels to pass down a healthy climate to the next generation.

Clean energy, battery storage, and energy efficiency are readily deployable, affordable, and must be central to economic development in our state to ensure we are not cemented into decades of toxic pollutants and emissions.

IMPACTS OF DATA CENTERS: ENERGY BILLS

Under the traditional utility model, costs for electricity, like gas plants and transmission lines, would be passed on to all customers, including homes and small businesses.

Without protections in place, everyone's energy bills will go up, even if the new infrastructure is being built to serve a single large data center.

A report by the Union of Concerned Scientists found that utilities in seven states (Illinois, Maryland, New Jersey, Ohio, Pennsylvania, Virginia, and West Virginia) passed more than $4.3 billion in transmission connection costs for large data centers onto all ratepayers in 2024 due to outdated rules that fail to assign costs to the companies causing them.

Building new gas-fired power plants and delaying coal plant retirements also often means more expensive energy for consumers, because it exposes customers to volatile fuel prices and displaces clean energy, the cheapest form of new energy available today.

Stranded Assets

These major utility investments are being made based on the assumption that proposed data centers will be built. But not all of them will. In Nevada, for example, NV Energy has admitted it expects only about 15% of proposed data centers to actually materialize. Yet utilities are proceeding as if every project will move forward. When utilities build new infrastructure—like gas plants—to serve customers that never arrive, those facilities become **"stranded assets."**

A stranded asset is infrastructure that customers must continue paying for, even though it's not being used. **These costs are passed directly to ratepayers, locking them into higher bills and prolonging their dependence on expensive fossil fuels**, rather than investing in cleaner, cheaper alternatives.

To prevent this, some states require proof that a data center is actually being built before utilities invest in new infrastructure. Minimum contract terms must also be enforced to ensure that, once operational, data centers contribute fairly over time, protecting all other ratepayers from unnecessary financial risk.

IMPACTS OF DATA CENTERS: HEALTH

Hyperscale data centers in Wisconsin have turned to diesel generators as a source of backup power. Diesel exhaust is a type 1 carcinogen linked to cancer, heart, and lung disease. Large, industrial-size generators also emit harmful air pollutants that increase the severity of smog, particularly on hot, sunny days. **Batteries could provide backup power at data centers without these impacts.**

While these generators are intended to serve as a backup in the event of a power outage, they also require regular operation for maintenance and testing purposes. In the event of a power outage, the generators could emit large amounts of harmful pollution at a time when the community might already be impacted by extreme weather or emergencies.

Even if the diesel generators or a fossil fuel plant receive a permit, that does not mean it's safe. Currently, the Wisconsin Department of Natural Resources (DNR) does not have to consider cumulative health impacts, which is recommended by the Environmental Protection Agency (EPA) and utilized in many states. The DNR recently filed a lawsuit seeking to loosen the permitting requirements for air polluting facilities in southeast Wisconsin—an area where air pollution levels are already higher than what is considered healthy—a request that was granted by a federal three-judge panel.

Ozone

Ozone is the primary ingredient in "smog" and has negative health impacts, particularly on children, older adults, people with asthma, and people who are active outdoors, especially outdoor workers. Parts of Wisconsin, primarily along Lake Michigan, already experience ozone pollution at levels that exceed what is deemed healthy for humans.

Particulate Matter

Health research shows there is no safe level of pollutants like particulate matter 2.5, that are released by diesel generators. That means that data center projects have a significant healthcare cost to not only the communities where infrastructure is built, but also other counties downwind.

Public Health Costs

As of 2023, it is estimated that air pollution from U.S. data centers has already resulted in a public health cost of about $6.7 billion. Research has found that those impacts could rise to $20 billion by 2026, or approximately 600,000 asthma symptom cases and 1,300 premature deaths.

It is expected that those harms will not be felt evenly; households in low-income counties could experience about 200x the household health costs than others.

IMPACTS OF DATA CENTERS: LAND & WATER

Water

The computer servers that fill a hyperscale data center generate heat and require powerful cooling systems. Traditionally, many large data centers used evaporative cooling, which cools air by the same process that sweat cools a body on a hot day. This type of cooling uses enormous amounts of water as it is evaporated into the ambient air.

In recent years, some data centers—especially hyperscale facilities—have begun switching to "closed-loop" systems or air-cooled systems. While these systems may appear to use less water, they tend to require more energy, shifting water consumption off-site.

The energy needed to power closed-loop or air-cooled systems may require vast amounts of water. In a typical year, over 70% of Wisconsin's water consumption goes to electric generating facilities, mainly coal and gas plants. An analysis by Clean Wisconsin found that if the 3.5 GW Vantage data center in Port Washington was powered with non-renewable energy sources, its off-site water use would be at least 54 million gallons a day.

There are also growing concerns about PFAS contamination and other pollutants caused by data centers. More research is needed to understand all the impacts to health.

Land

Construction of hyperscale data centers in Wisconsin have been proposed on hundreds-of-acre sites, many of which are currently farmland. Some sites also encompass wetland and other natural uses. Rezoning these areas for industrial use may have long-term consequences for watersheds and loss of green space can impact mental health and quality of life.

The **Wisconsin Farm Bureau has also raised concerns that data centers could impact land costs for farmers** because many developers are paying far more than the market value for parcels. In urban and suburban areas where housing is already scarce, data centers can take large amounts of acreage that could be utilized for housing or local businesses.

IMPACTS OF DATA CENTERS: WATER BILLS

Water Bills

Data centers consume enormous amounts of water, typically sourced directly from local water utilities. Like homeowners, they usually pay the local utility for that water. Sometimes, **data centers can negotiate discounted rates that are lower than what residents pay. When that happens, everyday customers end up covering the difference.**

Even when data centers pay standard rates, their massive water demand strains local systems, forcing utilities to invest in costly upgrades and new infrastructure. These costs are often passed on to all ratepayers.

Without strong safeguards, **data centers not only threaten our air and water but also saddle Wisconsin residents with higher utility bills** and divert community funds away from local needs to subsidize this private infrastructure, all while benefiting from sales tax exemptions. These enormous, often billion-dollar companies can afford to pay these costs, but we need protections in place to ensure they do.

Large data centers can consume up to 5 million gallons of freshwater per day— the equivalent water use of a town populated by 10,000 to 50,000 people.

- Prescott Balch, Caledonia resident

IMPACTS OF DATA CENTERS: LIGHT & NOISE

Noise Pollution

The noise pollution from hyperscale data centers can range significantly based on how the facility is built, how much cooling the facility requires, how close the building is to neighboring buildings, and how often the backup generators are running. Each data center may emit between 50 and 98 adjusted decibels (dB(A)), with the biggest noise impacts within 400 feet of the facility. By comparison, the volume of a normal conversation is around 60 dB(A) and yelling directly in someone's ear is around 110 dB(A). According to the Center for Hearing and Communication, continued exposure to 70 dB(A) over time will cause hearing loss. Noise pollution can also contribute to mental health and learning challenges, especially in children.

Required setbacks away from nearby buildings, neighboring tree cover to dampen sound, limits on generator use, and guidelines for fan speed can all help mitigate noise pollution.

Light Pollution

Like noise pollution, light pollution severity from data centers has a large range, with some being lit up like a football stadium, some like a Walmart parking lot, and some like a more typical office building or industrial park. Light pollution is bad for the health of humans, leads to the deaths of migrating birds, and interferes with the reproductive cycles of several pollinators.

Data centers should be thoughtfully designed to minimize light pollution. Dark Sky International recommends: 1) all lights should be fully shielded, meaning that there is no light above 90 degrees from the fixture, 2) avoid overlighting an area by considering lighting placement and use timers, dimmers and motion sensors to eliminate unnecessary lighting, and 3) using dimmer and "warmer" bulbs.

"We live 15 minutes from Horicon Marsh, an internationally protected wetland in a major flyway. I'm concerned about what the noise and light pollution will do to migrating birds."

- Resident of Beaver Dam

TRANSPARENCY

Tech companies and data center developers are skilled at limiting how much information about a planned data center reaches the public. One common strategy is entering into nondisclosure agreements, or NDAs, with local officials. Such agreements prevent public officials from speaking openly about the project to the very citizens they represent. Researchers in Virginia found that at least 80% of local governments that approved or were considering data center projects had signed NDAs with the companies involved. NDAs have been used by data center developers in Wisconsin.

Another strategy is the use of anonymous LLCs which allow the company behind the project to remain secret. Wisconsinites should wonder why they are trying to hide.

Finally, tech companies may claim that important environmental impacts of the data center, such as water or energy use, are "trade secrets" that cannot be disclosed. **Microsoft claimed that the amount of water its Mount Pleasant data center would use was a trade secret, only relenting after a lawsuit was brought under Wisconsin's public records law.**

The lack of information on data center impacts is compounded by the fact that estimates for energy and water use often change during the development process, sometimes dramatically so. This makes it hard for citizens, let alone the local officials approving a project, to know what the true impacts will be.

CASE STUDIES: COMMUNITIES PUSH BACK

Engagement from concerned residents is already slowing down data center proposals in Wisconsin and raising issues that officials should consider in any contracts. These successes demonstrate how important members of the public can be!

Caledonia, WI

Initial notifications for the hyperscale data center proposed in Caledonia, WI, only went to those living within 500 ft of the project. The community organizing started with one of the impacted neighbors making copies of the notice and dropping them in neighbors' mailboxes. This was followed by organizing an awareness page on Facebook, neighbors coming together, and residents speaking up at city meetings. Together, they were able to elevate financial concerns that resonated with local decision makers.

With opposition from the community and local decision makers, Microsoft withdrew its proposal in October of 2025. One of the big lesson learned: Understand why local officials initially support a project and ensure they hear both sides of the story.

Menomonie, WI

A large hyperscale data center proposed in Menomonie, WI was put on hold after public opposition. The mayor announced that he was opposing the project, casting doubt on its future and pausing the project. One of the community members organizing around the issue explained part of what led to the success, "What was most helpful was people willing to take on different parts of the issue and be the 'control person.' We had people be in charge of a formal petition, organizing us by city wards and townships, making signs and shirts, and monitoring our Facebook page."

Community members gather in Menomonie, WI to oppose data center proposal

PERMITTING PROCESS

Introduction

There is no comprehensive data center regulatory framework in Wisconsin. Rather, these facilities are regulated under a patchwork of laws and regulations that pre-exist the hyperscale data center boom.

Generally, data centers and the infrastructure that support them require:

- Local approvals
- State permits, like air and public wetland permits
- Permission from the Public Service Commission (PSC)
- Environmental Impact assessments

Read on for the detailed permitting process for each of these and how you can engage in them.

SUCCESS STORY: Large Load Tariffs Protect Ratepayers

Across several states, the use of "large-load tariffs" ensures that big new power users, like data centers, pay their fair share and don't drive up costs for everyone else.

- Ohio Power Company (OPCo): New rules require large customers (over 25 MW) to sign long contracts, pay exit fees if they leave early, and provide financial guarantees so that risky projects don't stick regular ratepayers with the bill.
- Kansas: Evergy's new tariff includes protections to ensure data centers cover their own costs and even offers an option for them to help the utility add more clean energy.
- Michigan: Utilities must study whether data centers are shifting costs onto households and include exit fees if big customers walk away before paying off what they owe. Together, these new tariffs help keep costs fair, protect communities, and encourage cleaner, more responsible energy use as data centers grow.

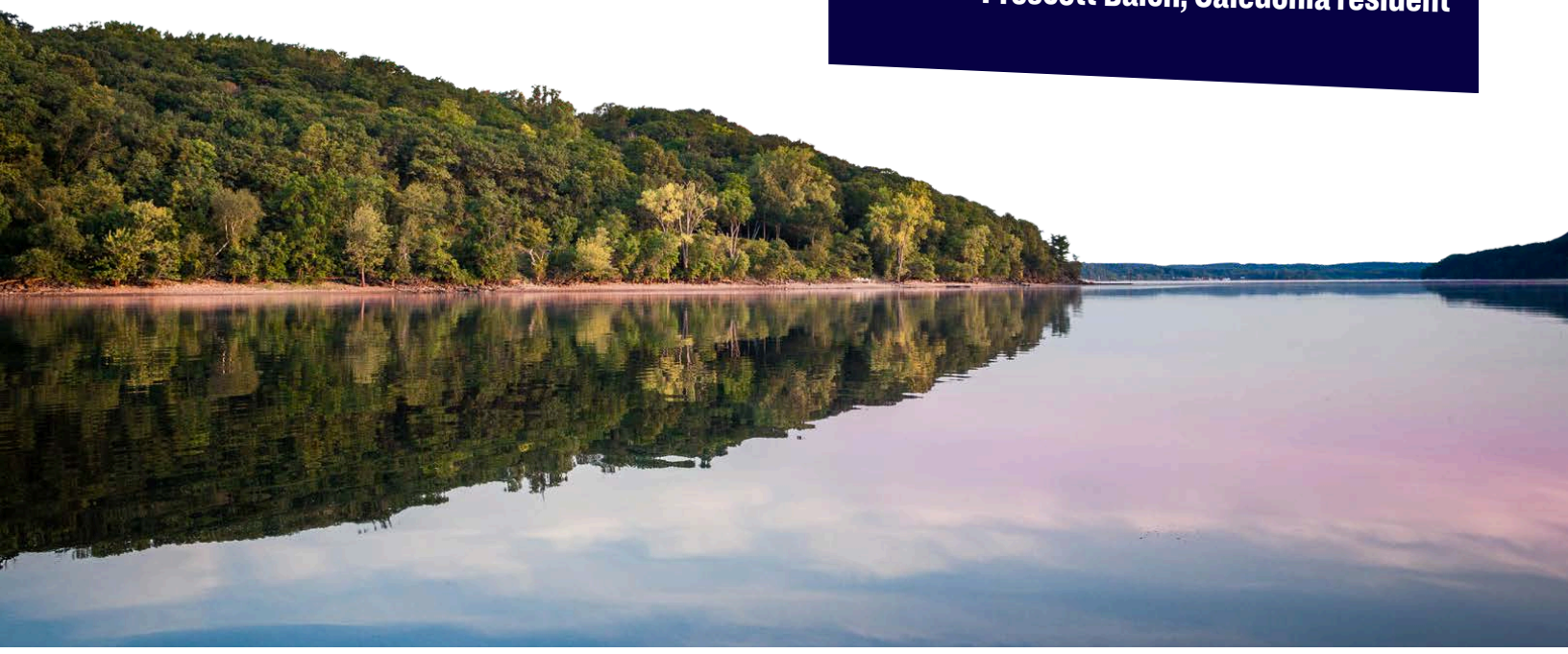
PERMITTING: LOCAL APPROVALS

Comprehensive Planning, Land Use Planning, Zoning and Data Centers

Existing comprehensive plans and zoning codes never envisioned a facility that is part warehouse, part office complex, part high-tech stronghold and part energy production facility. Data centers simply do not fit into the current framework of zoning categories of heavy industrial, light industrial or commercial.

Some communities are now defining where or if data centers will be allowed. These communities are identifying areas of development prohibitions including sensitive ecological areas or adjacency to culturally important resources.

> ***"Large tech companies are descending on small communities where the experience negotiating large contracts is non-existent. The agreements being struck are horrible for the tax-paying residents of those communities."***
>
> **- Prescott Balch, Caledonia resident**



PERMITTING: LOCAL APPROVALS

Types of Local Planning Documents

A **comprehensive plan** is a long-range planning document and serves as a high-level overview of the physical, social, environmental and economic assets of a local unit of government. Plans are developed (and updated every 10 years) by local planning committees or commissions. The law requires public participation in developing the plan.

The goal of a **land use plan** is to map out the specifics for a wide range of land uses. This will typically include where residential areas, commercial, heavy industrial and conservation areas are best suited. The objective is to promote the current and future interests of individuals and their communities.

In general, a **zoning code** is the body of ordinances (regulations) related to how the land use plan will be deployed and enforced. Ordinances may include specifics on items such as minimum residential lots sizes or requirements for commercial development.

Most, but not all Wisconsin municipalities have a zoning code.

- Cities and villages have the authority to conduct "extraterritorial zoning". This means they can choose to create zoning categories outside of their boundaries and into adjacent towns (unincorporated areas).
- Counties may adopt general zoning which applies to towns within the county, but only if the town chooses to adopt the county ordinances.
- Towns are entitled to adopt general zoning if they are in a county without general zoning.

State law requires "consistency" across local land use plans/zoning and the locally adopted comprehensive plan, meaning there should not be contradictions or conflicts. There are several remedies for any inconsistencies, including, but not limited to, amending an ordinance or updating the comprehensive plan.

PERMITTING: LOCAL APPROVALS

Annexation

Annexation is a legal prescriptive process to “move” property from one jurisdiction to another. Most often it is driven by residents and property owners wishing to shift their property from one jurisdiction to another.

While there are many forms of annexation, Wis. Stat §§ 66.0217-0223 details exactly how any annexation request may move forward. Any missteps in this process can void the annexation.

Direct Legislation (Wis. Stat. § 9.20)

Wisconsin law allows for citizens of a city or village to adopt municipal ordinances by referendum. Under Wisconsin’s “direct legislation” law, citizens need at least as many signatures as 15% of the votes cast for governor in the previous election. Once this threshold is met, the common council or village board must either pass the ordinance or submit it to a vote in an election.

There are limitations on what can be enacted through direct legislation. Direct legislation:

- Cannot adopt or amend a zoning ordinance;
- Cannot repeal existing ordinances;
- Cannot be used in a town (can only be used in cities and villages);
- Cannot be used to do something that the common council or village board could not do in its own right.

Consult an attorney if you are considering pursuing direct legislation in your community.

Note: Land use and zoning laws are complicated. Layers of state law and legal precedence apply to the extent of authority related to local planning.

The previous sections are a very general overview of local planning documents and should not be considered complete.

For more complete guidance visit:

- UWSP Center for Land Use Development www.uwsp.edu/clue/center-for-land-use-education
- UW Extension Land Use Training & Resources fyi.extension.wisc.edu/landusetraining
- Check with your local planning and zoning authorities

PERMITTING: ZONING ORDINANCES

While zoning, land use, and comprehensive plans may not prevent data centers from coming into a community, they demonstrate community values. They are the outward declarations of what a community wishes to see now and into the future. The following are some initial steps a community will take if developing an ordinance for data centers.

- Determine what entity has zoning jurisdiction over the area in question. Planning and zoning or community development departments can provide this information.
- Most plan commissions and committees have citizen members. Consider applying to become a member.
- Is a city or village proposing to use extraterritorial zoning power?
- Is the area in question a subject of an annexation request?
- Is the zoning/land use code consistent with the adopted comprehensive plan?
    - Inconsistencies can be used by developers against a community
    - If inconsistencies exist, work to either amend land use/zoning ordinance or update comprehensive plan. This can take many months and require several local approvals.

PERMITTING: ORDINANCE CONSIDERATIONS

At a minimum, ordinances can and should address:

Permitted Use

- Make any ordinance related to data centers a “permitted use”, not a “conditional use”. Prior to 2017 Wisconsin Act 67 municipalities used conditional use permit requests to limit, stall or reject a variety of projects. Under the new law any conditions placed on a permit request cannot reflect “personal preferences or speculation” and must be “reasonable and practicable”.

Definitions

- What is the definition of a data center? Does the ordinance treat large facilities differently from small facilities?

Location Criteria

- Will there be an acreage limitation for a contiguous facility?
- What areas will be prohibited from development of data centers?
- What will setbacks be from residential (all residential zones), schools, nursing homes, daycare centers, and other areas of sensitive populations?
- Are there locally sensitive ecosystems to be protected (beyond any state/federal)?
- Other criteria specific to the municipality

Performance/Operational Standards

- Will generators be limited to testing during certain hours? Will there be limits on generator noise? Can battery energy storage systems be required as an alternative?
- What lighting will be required? Dark skies? Other?
- What roads will be used for both construction and operations?
- Will the developer pay for upgrading any roads to support construction?
- What will be done to limit or mitigate the impact of sound?
- What systems will be used to mitigate both high and low frequency sounds?

Design Standards

- What kind of fencing and screening is required?
- Does the use of berms, trees, and other vegetation provide adequate screening?
- What height and step-back requirements are in place?
- What materials are allowed or prohibited for building facades?

STATE PERMITTING

Types of DNR Permits Related to Data Centers

Air Permits

The Wisconsin Department of Natural Resources (DNR) is tasked to monitor industrial sources of air pollution in Wisconsin and require owners and operators to comply with applicable regulations through a permitting process.

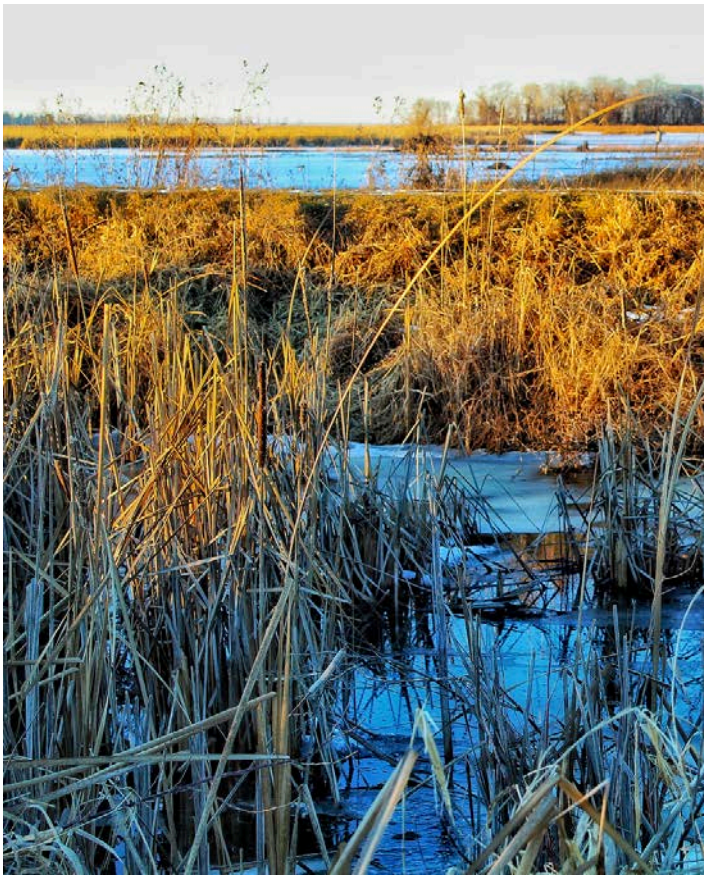
Data center proposals in Wisconsin have included large, diesel generators as a source of back up energy. Because diesel generators emit harmful air pollution, a data center with diesel generators must obtain an air permit or qualify for an exemption.

Wetlands

In Wisconsin, the filling, excavating, grading, clearing, or draining of wetlands requires approval from the DNR. Although wetland impacts will vary from site to site, the enormous footprint of hyperscale data centers means they are likely to have some impact on all sites.

The nature of the permitting requirements will vary based on the size and type of wetlands impacted. Projects that involve large or high-quality wetlands will trigger more stringent permitting requirements.

In some situations, federal wetland permits may also be required from the U.S. Army Corps of Engineers.



WISCONSIN PUBLIC SERVICE COMMISSION PERMITS

The Wisconsin Public Service Commission (PSC) is the state agency that regulates utilities, including electricity, gas, and water. In Wisconsin, customers do not choose their utility provider. Instead, the PSC is tasked with ensuring that utilities provide safe, reliable service at fair and reasonable rates.

The PSC is led by three commissioners, each appointed by the governor to serve six-year terms. Typically, the State Senate confirms these appointments. The governor also designates which commissioner serves as chairperson.

When utilities want to make major changes—such as building a new power plant, changing rates, or altering how customers are charged—the PSC reviews those requests through formal proceedings. PSC staff, utilities, and interested parties such as local governments, experts, organizations, and members of the public can all submit comments, data, and testimony.

Once all information is collected, commissioners review the complete official record. During a public meeting, which anyone can watch online, each commissioner shares their perspective and casts a vote. **Decisions are made by majority vote of the three commissioners.**

Child testifying at Public Service Commission hearing about We Energies' proposed gas plants

PSC proceedings typically include four groups:

- **Applicant:** Usually the utility or developer requesting approval for a new project or rate change.
- **PSC Staff:** Analysts and experts who review materials, ask questions, and ensure that the process follows the law.
- **Intervenors:** Individuals or organizations with a strong interest in the case, such as advocacy groups, local governments, or affected residents. They often hire lawyers and expert witnesses.
- **Public:** Members of the public can submit written comments or testify at public hearings.

TYPES OF PSC PROCEEDINGS RELATED TO DATA CENTERS

Construction Projects

The PSC must approve the construction of large gas or electric projects, such as power plants, transmission lines, or solar farms. Depending on the project size, the PSC issues either a Certificate of Public Convenience and Necessity (CPCN) or a Certificate of Authority (CA).

The process includes:

- Environmental Review: The PSC prepares an Environmental Impact Statement (EIS) or Environmental Assessment (EA) that examines environmental and social impacts.
- Consideration of Alternatives: Commissioners must evaluate whether less costly or less environmentally damaging alternatives exist.

Rate Cases & Other Proceedings

Utilities must request PSC approval to increase or decrease customer rates. These "rate cases" explain what the utility wants to charge different customer types (residential, commercial, etc.) and why—covering costs like fuel, infrastructure, operations, and advertising. Each rate case includes a public hearing and comment period.

These are especially relevant for data centers:

- **Large Load Tariffs**: Determine how much very large customers (like data centers) should pay.
- **Special Rate Requests**: Apply to unique cases, such as the special rate Wisconsin Power and Light (Alliant) requested for a specific customer.
- **Power Purchasing**: When utilities seek approval to buy power from third-party sources, such as new gas plants.

WISCONSIN ENVIRONMENTAL POLICY ACT (WEPA)

WEPA is Wisconsin's environmental impact disclosure law. It requires state agencies to include a statement on environmental impacts when taking major actions that significantly affect the environment. This statement is referred to as an Environmental Impact Statement or EIS. In some situations, a state agency may prepare an "Environmental Assessment" or EA, which can be thought of as an abbreviated EIS that is used to determine whether a full EIS should be completed.

WEPA is a procedural statute, meaning it requires the agency to take a "hard look" at the environmental effects of the agency's action. WEPA does not prevent an agency from approving a project—even one with significant environmental impacts—as long as those impacts are studied and described.

Additionally, WEPA applies only to state agencies. Local government decisions such as annexation, rezoning, or issuing a building permit are not subject to WEPA. In the context of data centers, WEPA applies to permits obtained from the DNR and to any approvals required from the PSC.

WEPA has a federal counterpart, referred to as NEPA. NEPA applies when federal agencies grant permits or provide funding for a project.

PUBLIC RECORDS LAW

Wisconsin's Public Records Law guarantees the right to view and copy governmental records, unless disclosure is exempted by statute or contrary to the public interest.

The Public Records Law applies to all levels of Wisconsin government, including local government. The federal government is subject to the Freedom of Information Act (FOIA), a separate law.

Records are broadly defined by Wisconsin's public records law, and include government reports, documents, emails, and more. Requests can be submitted by mail, email, or in person. Written requests are more effective than oral requests.

Individuals or communities can use public records law when the details about data centers, like water or energy use, are not being transparently provided. State agencies typically have a designated contact for receiving records requests.

For example, records requests to the Department of Natural Resources can be sent to: DNRRecordsResponse@wisconsin.gov. Other state agencies have similar email addresses.

Local governments may have varying processes for handling requests. A good place to start is reaching out to the municipal clerk.

It is good practice to request the specific records you are seeking. **Requests that are vague or broad are likely to result in a longer wait for the records.**

The public records law requires record custodians to process the request "as soon as possible and without delay." According to the Wisconsin Department of Justice policy, 10 working days generally is a reasonable time for responding to a simple request.

Written requests can only be denied in writing and must include a justification for the denial. If you suspect that a request has been unlawfully denied or that access has been unreasonably restricted or delayed, you may have legal recourse. Consult an attorney that does public records work. It may be possible to ask a court to order release of the records.

OPEN MEETINGS LAW

The Open Meetings Law applies to all state and local governmental bodies. When there is a government meeting, the open meetings law requires:

- Public notice, at least 24 hours before the start of the meeting (with some exceptions) that announces the date, place, and subject matter of the meeting, and sufficiently describes what will be discussed at the meeting.
- Meetings to be held in a place reasonably accessible to members of the public and open to all citizens. Closed meetings are only allowed in narrowly defined situations.

The open meetings law defines a meeting as the convening of one half or more of the members of a governmental body to exercise the responsibilities, authority, power or duties delegated to or vested in the body.

A meeting need not look like a traditional meeting. “Walking quorums” are subject to the open meetings law. A walking quorum is when generated members of a governmental body gather in separate groups that do not meet the numbers requirement, but agree in those gatherings to act uniformly on certain issues. This can even happen over email or through phone conversations.

Watch the calendar for your local community to learn when decision-makers will be discussing data center proposals.

TAKE ACTION: WHAT YOU CAN DO

If you want to stay informed about what's happening in your community or help ensure strong safeguards are in place as data centers move in, there are plenty of ways to get involved.

Start by getting engaged early and following the permitting process. As outlined above, data centers move through several levels of approval, including local permits, air permits, and Public Service Commission proceedings. At each step, you have opportunities to take action:

- Submit a public comment or testify at a hearing
- Organize your community
- Share information so others know what's at stake
- Help your community pass a local ordinance

Local engagement is one of the most powerful tools we have to ensure data center development is responsible, transparent, and protective of community needs.The addendum to this toolkit includes examples, resources and more detailed information about engaging on a data center proposal near you.

Advocates gather at Menomonie City Council in opposition to the proposed data center. *Photo: Rachel Tilseth*

PROTECT YOUR COMMUNITY FROM FOOTING THE BILL

Ratepayer protections should ensure tech companies are paying their fair share. Requiring data center developers to bring their own new clean energy to Wisconsin will also help keep costs down because clean energy alternatives are the cheapest sources of energy available today.

Alliant Energy

In Wisconsin, Alliant Energy has actively recruited data centers to Wisconsin, including QTS and Meta. Alliant has requested approval for a special electricity rate for a Meta data center in Beaver Dam, with the details hidden behind a non-disclosure agreement. Without proper oversight, data centers could end up paying discounted rates for massive energy use, leaving everyone else to make up the difference. A letter of support from the City of Beaver Dam's mayor describes the agreement as "a critical tool...offering flexible, competitive energy pricing tailored to the needs of large-scale users." But the needs of data centers should not outweigh those of ordinary ratepayers.

We Energies

We Energies is pursuing similar efforts to create a new "large-load customer" tariff. In this context, a "tariff" is referring to a special rate and cost structure for a specific large energy user like a data center. The large-load customer tariff purportedly will hold data centers and other large users accountable for paying their fair share of the cost of service, including the cost of building new generation resources to serve their expected demand.

However, as currently drafted, it is unclear whether the tariff will provide sufficient guardrails to prevent unfair cost shifting to existing customers. These "large-load tariffs" could either protect ratepayers from subsidizing corporate energy costs or become a giveaway to the data center industry, depending on how they're structured and implemented.

BOTTOM LINE: ***Wisconsinites shouldn't subsidize the energy needs of Big Tech through higher energy bills.***

HOW TO PARTICIPATE IN PSC PROCESSES

Finding information on the PSC website can be confusing at first, but having the docket number makes it much easier. Each case has its own docket number, which you can use to find all documents, hearings, and comment opportunities.

To search for a docket:

- Go to psc.wi.gov
- Click Docket Search under the eServices tab.
- Enter the docket number.
- From there, you can view all documents, events, and filing details for that case.

Most PSC cases include both a public comment period and a public hearing.

- **Public Comment Periods**: Usually last around 30 days, but can vary. Written comments can be submitted online and are added to the official record.
- **Public Hearings**: Typically held twice in one day—once in the afternoon and once in the evening. Hearings are often held near affected communities or virtually. Attendees can sign up to testify. Testimony is taken under oath before an Administrative Law Judge.

When submitting comments or a testimony, it's best to focus on the specific decision being made. For example, in a gas or electric rate case, commissioners focus on costs and customer impacts rather than land use or water issues.

Packed hearing rooms at the PSC Hearings for We Energies' proposed new gas plants in Southeastern Wisconsin.

SUBMIT A COMMENT OR SIGN UP TO TESTIFY

Most permitting processes give the public an opportunity to weigh in—whether by sharing additional information, raising concerns, or offering your perspective on what decision-makers should do. Here's how to find and participate in those opportunities:

Local Permits

Cities and counties post hearing notices on their websites. Look for meeting agendas or public hearing announcements, then either attend and testify or email comments to the relevant committee before the vote.

DNR Permits

Each permit notice from the Department of Natural Resources includes instructions for submitting comments or requesting a public hearing. If enough people request a hearing, the DNR is required to hold one.

Public Service Commission

Visit the docket page for the case you're following. Under the "Events" tab, you'll find public hearing dates and a link to submit written comments directly to the Commission.

Tips for Testifying

- **Be kind and courteous.** Thank them for letting you speak.
- **Don't be intimidated.** Remember that *you* are the expert of your story and concerns.
- **Keep it personal.** When was the last time you helped someone with something? Was it because they explained the problem in statistics or because they explained why they needed the help?
- **Pick one or two statistics at most.** Repeating facts and figures isn't as persuasive as a compelling personal story.
- **Keep it simple—don't get too technical.** Technical information is unlikely to persuade the committee members. A concise, clearly presented argument is the most compelling.
- **Stay on topic - d**on't go into politics or other issues. Focus on the issue at hand.
- **Bring pictures, newspaper articles, etc.** if they will help demonstrate what you are saying. If giving them extra handouts, remember that short and sweet is best.
- **Conclude by clearly and concisely stating your position.** Make sure you don't leave the decision-makers wondering what you want them to do. Don't just say, 'I'm opposed' or 'supportive'. Make sure you say, '...of the resolution'.
- **Give copies of your testimony** after you speak. (If before, they may be reading it instead of listening to you).
- **Coordinate with others in advance.** Make sure you are covering all topics among the group and having the best spokesperson highlight it.

ORGANIZE YOUR NEIGHBORS AND OTHERS IN THE COMMUNITY

Organizing your community brings people together around shared concerns and turns individual worries into collective strength. When neighbors coordinate their efforts, they can influence decisions that would be hard to impact alone. A well-organized community can show up, speak out, and create lasting change.

Here are some initial steps to organize your community:

- **Talk to people one-on-one.**
  Have simple conversations with friends, neighbors, and coworkers. Listen to their concerns and find out who cares about the issue.

- **Gather a small core team.**
  Invite the people who seem most interested to form a small group that can help make decisions and share the work.

- **Learn the facts.**
  Collect basic information, including what's happening, who's responsible, what decisions are coming up, and where the public can participate.

- **Set a goal and a plan**.
  Decide what you want to achieve (for example, stopping a permit, asking for stronger safeguards, or simply raising awareness) and outline the steps you'll take.

- **Hold a community meeting.**
  Keep it simple: explain the issue, share the goal, and offer easy ways for people to get involved.

- **Assign roles and tasks.**
  Ask volunteers to take on small, doable tasks like talking to more neighbors, making flyers, or watching the permitting docket.

- **Spread the word.**
  Use whatever channels you have, including social media, local groups, flyers, door-knocking, or community events to let more people know what's happening.

- **Show up together.**
  Attend hearings, submit comments, or meet with decision-makers as a group. A unified community voice carries more weight.

- **Celebrate wins and keep going.**
  Acknowledge progress, thank volunteers, and stay connected so your group stays strong for future issues.

SPREAD AWARENESS ABOUT YOUR CONCERNS

Spreading awareness helps people understand what's at stake and empowers them to take meaningful action. When more community members know about an issue, decision-makers are more likely to pay attention and respond. Awareness also strengthens collective power—every informed person becomes another voice pushing for solutions.

How to Make the News

What makes something newsworthy? → **Timeliness + Impact = News**

Ask yourself:

1. Is this new?
2. Is this happening right now?
3. Is it about to happen?
4. Who does it affect?
5. How much does it cost?
6. What are the consequences?

News Hook

- Local interest
- Unique, unusual, strange
- New, timely development
- Conflict, drama, controversy
- Human, personal, emotional
- Holiday or anniversary
- Report, poll or study
- Bill, law, vote, case, decision, ruling
- Sheer size (*ex. "thousands rally" or "hundreds protect"*)
- Superlatives *(ex. "the most," "the worst," "the dirtiest")*
- Human interest

NOT a News Hook

- Small, one-off event
- Panel
- Booth
- Meeting

Medium Matters

Choosing how to tell the story is just as important as the story itself. When pitching and trying to earn news, consider the crucial parts of your story and who your target audience is.

- **TV**: Best for stories that have strong visuals
- **Radio**: Best for clear, simple language and easy-to-follow stories
- **Print**: Best for in-depth, detailed stories that can expand on more information than TV or radio

Your story might work for multiple mediums. That's great! Remember to tailor your story based on the medium, and adjust what you want your audience to take away from the story based on the medium.

PITCHING A NEWS STORY

Pitching, or reaching out to a reporter to see if they will cover a particular story, is a crucial skill to help spread our message, influence public opinion, persuade policymakers, and win on our issues. At its core, pitches are stories that you're telling a reporter in order for them to cover the topic.

How to Pitch

1. **Reach out to a reporter**
    a. Speak clearly or write your email in simple, understandable language.

2. **Use your hooks**
    a. Why should this reporter cover your story? (Refer to News Hooks on previous page on whether it's a news-worthy story.)

3. **Do your homework**
    a. Make sure this story is within the reporter's "beat." Verify that they have covered similar stories in the past. (You wouldn't want to ask a food reporter to cover energy news!)

4. **Make it easy**
    a. Provide background information and primary sources.
    b. Offer to connect the reporter with relevant spokespeople, or provide spokespeople's contact information to the reporter (with their approval!).
    c. Keep it brief. Reporters receive a LOT of pitches. Keep your pitch short, snappy, and intriguing.

5. **Follow up**
    a. Be persistent, but polite. It can be helpful to follow up with a call. Remind the reporter the relevancy of your story.

Pro Tip: Make a direct ask for the reporter to cover the story in your pitch. (Example: "Are you interested in covering this story?")

SOCIAL MEDIA

Social media can be a powerful tool to organize your community and to spread awareness about your concerns. Often, data center owners operate behind the scenes, so social media can help shed light on the proposals. Many organizers credit using Facebook Groups as a critical element to organizing the community.

Here are some general suggestions for using social media:

- Use clear, concise language and avoid jargon.
- Write at a 5th grade reading level.
- Always include a call to action when appropriate, like “show up at the City Council meeting on Tuesday.”
- Maintain respectful language and respond to comments/questions in a timely, positive manner.
- Protect privacy—do not post minors or community members without their permission.
- Use images and short videos to help convey your message quickly.

Facebook Groups	Organize others concerned about the issue and offer updates about	• Events • Updates • Documents and links
Facebook Page	Publicize information to the general public	• Photos and Graphics • Stories • Videos • Live streams
Instagram, YouTube or TikTok	Story-telling and information sharing (generally younger than those on Facebook)	• Photos • Videos
Next Door or Reddit	Share information and create discussion within neighborhoods	• Start conversations • Engage community awareness
Bluesky, Threads or X/Twitter	Real-time news and updates Media relations	• Short, easy-to-understand facts and opinions • Multiple posts to dig deeper

PRINT MEDIA: LETTERS TO THE EDITOR (LTE)

A letter to the editor is a letter sent/emailed/submitted to a publication about issues of concern from its readers. Letters are intended for publication.

When drafting an op-ed or LTE you should keep in mind the following best practices:

- **Focus your message on one key point** - Although there may be many elements of an issue you want to address, you will have more success if your editorial is focused, to the point, and easy to understand.
- **Keep it short** - Typically, newspapers limit LTEs to 200 words or fewer, so try to keep yours to 150-200 words.
- **Tell the readers upfront why they should care** - Opinion editors are looking for pieces that will grab readers and tell them why they should care.
- **Offer specific recommendations -** An LTE is not a news story that simply describes a situation; it is your opinion about how to improve matters. Make your call to action something concrete and realistic.
- **Make your submission timely -** Editors will be looking for LTEs that are compelling and engage readers in the public debate about a timely issue. If you can respond directly to an editorial or article published in that outlet, you should make that reference directly. **Your piece has the best chance of getting published if there is a specific connection to the outlet you're pitching to.**
- **Name your target -** If you have a particular elected official that you need to get your message to, make sure you name that elected official in the LTE.

To submit an op-ed or LTE, email the opinion editor with a brief note explaining who the author is, what the piece is about, why it matters to their readers, and why it's relevant now.

Newspapers usually have one of two methods for submitting LTEs: through a form on their website (usually as part of the opinion section), or through an email address (e.g. letters@localpaper.com). If emailing, paste it in to the email, do not attach it.

Follow up. Opinion editors receive lots of submissions. Make sure to follow up with a phone call if you don't receive a response.

CONCLUSION

The huge influx of hyperscale data centers brings many risks to Wisconsin: massive electricity and water demands, pollution, costs to local residents and a lack of transparency in decision-making. Wisconsinites must play an active role in holding data center companies, developers, utilities, and local governments accountable. By engaging through state permits, local zoning decisions, and community organizing, we have the power to challenge these proposals.

"I'm so happy to have this toolkit available to help me assess the impacts of any new proposed data centers and help me understand what to do if a data center is introduced near me."

- Gloria Randall-Hewit, Racine resident

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