

WISCONSIN ENERGY CORP  
Form 8-K  
May 18, 2005

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of

1934

Date of report (Date of earliest event reported):

May 18, 2005

| Commission<br>File Number | Registrant; State of Incorporation<br>Address; and Telephone Number | IRS Employer<br>Identification No. |
|---------------------------|---|------------------------------------|
| 001-09057                 |   | 39-1391525                         |

**WISCONSIN ENERGY CORPORATION**

(A Wisconsin Corporation)  
231 West Michigan Street  
P.O. Box 1331  
Milwaukee, WI 53201  
(414) 221-2345

001-01245

39-0476280

**WISCONSIN ELECTRIC POWER  
COMPANY**

(A Wisconsin Corporation)  
231 West Michigan Street  
P.O. Box 2046  
Milwaukee, WI 53201  
(414) 221-2345

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

WISCONSIN ENERGY CORPORATION  
WISCONSIN ELECTRIC POWER COMPANY

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ITEM 8.01 OTHER EVENTS.

On May 18, 2005, we received from the Army Corps of Engineers the federal permit necessary for the construction of the new coal-fired generating units at our Elm Road facility in Oak Creek, Wisconsin. This permit authorizes construction of facilities that impact wetlands and waterways. Under federal law, a party may seek judicial review of the Army Corps' decision in federal court.

We have now received all the major permits necessary to commence construction of the Elm Road Generating Station. However, the other permits we previously received are the subject of judicial or administrative challenges. In addition, we have not yet received a decision from the Supreme Court of Wisconsin regarding the validity of the Certificate of Public Convenience and Necessity granted for this project. We anticipate a decision before the end of the Supreme Court's session, which is expected to be June 30, 2005.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, each of the registrants has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

WISCONSIN ENERGY CORPORATION

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(Registrant)

/s/ STEPHEN P. DICKSON

Date: May 18, 2005

Stephen P. Dickson -- Controller and  
Principal Accounting Officer

WISCONSIN ELECTRIC POWER COMPANY

(Registrant)

/s/ STEPHEN P. DICKSON

Date: May 18, 2005

Stephen P. Dickson -- Controller and  
Principal Accounting Officer