

☞ **09hr_SC-CUER_sb0615_pt01**



Details:

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Commerce, Utilities, Energy, & Rail (SC-CUER)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

April 7, 2010

EXECUTIVE SESSION HELD

Present: (7) Senators Plale, Wirch, Erpenbach, Kreitlow,
Cowles, Harsdorf and Kedzie.
Absent: (0) None.

Moved by Senator Plale, seconded by Senator Cowles that **Senate Amendment 1** be recommended for adoption.

Ayes: (7) Senators Plale, Wirch, Erpenbach, Kreitlow,
Cowles, Harsdorf and Kedzie.
Noes: (0) None.

ADOPTION OF SENATE AMENDMENT 1 RECOMMENDED,
Ayes 7, Noes 0

Moved by Senator Cowles, seconded by Senator Kreitlow that
Senate Bill 615 be recommended for passage as amended.

Ayes: (7) Senators Plale, Wirch, Erpenbach, Kreitlow,
Cowles, Harsdorf and Kedzie.
Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 7, Noes 0

Summer Shannon-Bradley
Committee Clerk

Vote Record

Committee on Commerce, Utilities, Energy, and Rail

Date: 4/7/10

Moved by: _____ Seconded by: _____

AB _____ SB 615 Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

A/S Amdt 1 to SB 615
 A/S Amdt _____ to A/S Amdt _____
 A/S Sub Amdt _____
 A/S Amdt _____ to A/S Sub Amdt _____
 A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:
 Passage Adoption Confirmation Concurrence Indefinite Postponement
 Introduction Rejection Tabling Nonconcurrence

*of an plate
Cowles (2nd)*

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Jeffrey Plale, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Wirch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Jon Erpenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Pat Kreitlow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Cowles	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Sheila Harsdorf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Neal Kedzie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>7</u>	<u>0</u>	_____	_____

*SB 615
 addy.
 passage as amended - Cowles
 2nd: Kreitlow*

7-0

Motion Carried Motion Failed



SENATOR JEFF PLALE
SEVENTH SENATE DISTRICT

CHAIR
COMMITTEE ON COMMERCE, UTILITIES, ENERGY, AND RAIL

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Testimony of Senator Jeff Plale
Senate Bill 615
Senate Committee on Commerce, Utilities, Energy, and Rail
March 23, 2010

Members of the Committee:

Thank you for the opportunity to testify before you today on Senate Bill 615. I have worked closely with representatives from ANR/TransCanada Pipeline, Wisconsin Public Power, Inc. (WPPI), American Transition Company (ATC) and the Public Service Commission (PSC) to craft the three key components of this bill which will eliminate current law ambiguities and bring clarity to several state statutes.

One part of this bill clarifies a somewhat ambiguous section of our state statutes related to easements. Currently, an owner of an interest in real property must file a notice of that interest every 30 years or that interest will be deemed extinguished. Several entities are exempt from this requirement in order to ease the burden on local register of deeds offices and to avoid the impracticality of recording numerous parcels for certain entities. These exempt entities include public service corporations, electric cooperatives, governmental units, railroads, and trustees. Although TransCanada pipeline firmly believes it currently falls under the public service corporation exception, SB 615 includes specific statutory language to clarify and validate an exemption for interstate natural gas transmission. This exemption is similar to those seen in other states where TransCanada operates and can help keep rates down for Wisconsin natural gas consumers. This language is identical to a bill I authored last session, 2007 SB 565. Unfortunately, time ran out before that bill was able to work its way through the legislative process.

Another part of SB 615 updates state statutes to reflect the significant evolution of the electric industry over the past 30 years. Minor modifications to WPPI's organizing statute will update our laws to reflect this new landscape. The first change would allow out-of-state municipal utilities to join WPPI as members. Current Wisconsin law does not allow formal WPPI membership for the three Iowa and seven Michigan utilities under long-term service contracts with WPPI. This means they do not have a vote in organizational matters. The second change eliminates a potential ambiguity concerning a municipal electric company's authority to conduct business with non-U.S. companies. In practice, as a participant in regional wholesale markets throughout the Midwest and



Canada, WPPI and other Wisconsin utilities do business with Canadian utilities. This bill adds to the statutory definition of "person" and "public agency" to ensure that these practices continue.

Finally, a third part of SB 615 clarifies the planning and approval process for transmission facilities located in existing corridors. The current process for constructing new transmission lines within existing rights-of-way is cumbersome, expensive, and does not promote the use of existing rights-of-way. By simplifying the current approval process, we can lower project costs, reduce the impact of an existing transmission line by allowing minor adjustments, promote the use of existing rights-of-way, and remove current law ambiguity.

Thank you for your consideration of this bill.