

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## ***RULES CLEARINGHOUSE***

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## **CLEARINGHOUSE RULE 01-033**

### **Comments**

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]**

#### **2. Form, Style and Placement in Administrative Code**

- a. The rule should contain an introductory clause. [See s. 1.02 (1), Manual.]
- b. In s. PSC 185.33 (10) (a), the second occurrence of “shall” in the last sentence should be amended to “may.”
- c. In s. PSC 185.37 (2) (e), the last sentence should be redrafted to comply with the rule that when material is deleted and material is added in the same location, the new material always immediately follows the stricken material. [See s. 1.06, Manual.]
- d. In s. PSC 185.38 (4m), “must” should be changed to “shall.” In addition, the rule should specify the circumstances under which the commission may require a utility to use written deferred payment agreements. Finally, the phrase “above (PSC 185.38 (4))” should be replaced by the phrase “in sub. (4).”

#### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

- a. The analysis to the rule should explain why s. PSC 185.22 (1) eliminates the requirement that a utility keep a copy of ch. PSC 185 on file in every general and local office of the utility.

b. How is a customer made aware of the right to have service reconnected based on a potential threat to health or life that results from the combination of heat and loss of service in s. PSC 185.37 (8) (h)?

c. Should s. PSC 185.39 (2) (c) require the utility to provide the names of the designated employees to the commission? In addition, it is unclear whether there are any circumstances under which a utility may first contact a complainant more than 48 hours after receiving a request from commission staff for an investigation. This point should be clarified.