



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 13-033

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated November 2011.]

2. Form, Style and Placement in Administrative Code

a. In the introductory clause of the proposed rule, the enumeration of provisions treated by the rule should be revised to conform to the style described in s. 1.02 (1), Manual. For example, the commission should write “185.73 (2) and (4),” rather than “185.73 (2), 185.73 (4),”. Additionally, the enumeration refers to the creation of s. PSC 185.46 (3) (title), which does not appear in the rule text.

b. In the enumeration of provisions treated as well as the rule text, the commission should refer to notes by reference to ss. PSC 185.76 (6) (Note) and 185.761 (2) (Note) rather than “a note following...”. [s. 1.09 (2), Manual.]

c. In s. PSC 113.0614 (Table), the commission should consider additional subdivisions that would conform the table more completely to the typical format for rule organization. For example, the commission could identify “Production Records:” as sub. (3), and the items “Station and system generation records” and “All other records taken in the plant” as pars. (a) and (b), with the remainder of the table reorganized in similar fashion. [See also, comment h., below.]

d. SECTIONS 2 to 5 of the proposed rule may be combined as a single SECTION that repeals and recreates s. PSC 113.0919 (1) and (2). [Compare to SECTION 12 of the proposed rule.]

e. The underlining of text in SECTION 11 should be removed. [s. 1.055, Manual.]

f. SECTION 13 should renumber s. PSC 113.0923 and (title) as s. PSC 113.0922 (2) and (2) (title).

g. SECTIONS 14 to 17 of the proposed rule may be combined as a single SECTION that repeals and recreates s. PSC 134.19 (1) and (2). [Compare to SECTION 12 of the proposed rule.]

h. In s. PSC 134.20 (Table), the commission should consider additional subdivisions that would conform the table more completely to the typical format for rule organization. For example, the commission could identify additional paragraphs following subs. (3), (4), (5), and (6). For example, following sub. (3), “Station and system generation records” and “All other records taken in the plant” could be identified as pars. (a) and (b). [See also, comment c., above.]

i. SECTIONS 24 to 27 of the proposed rule may be combined as a single SECTION that repeals and recreates s. PSC 185.46 (1) and (2). [Compare to SECTION 12 of the proposed rule.]

j. In SECTION 33, the word “(title)” may be removed from the rule text.

k. In s. PSC 185.77 (3) (a), the phrase “In this subsection:” should be indicated as s. PSC 185.77 (3) (a) (intro.) and the phrase “as found” should be identified as a subdivision (i.e., “1.”).

l. SECTION 36 should renumber s. PSC 185.78 and (title) as s. PSC 185.77 (2) and (2) (title).

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

a. In the description of statutory authority in the rule summary (Attachment A), the commission should remove “PSC” from the list of cited authorities.

b. The commission should consider adding definitions for “as found,” “as left,” “as tested,” “creeps,” and “essential name-plate data” where relevant.

c. In SECTION 33, should the phrase “over or under registering” be re-written with hyphens following “over” and “under”?