



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 13-048

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. The rule analysis should contain all of the headings listed in s. 1.02 of the Manual.
- b. It does not appear that s. PSC 113.0306, referred to in SECTION 1, exists in current code or is created by the rule proposal. Should this refer to one or both of the sections created in SECTION 4 of the rule proposal? Also, the rule should refer to the cross-reference using “under” rather than “by”.
- c. In s. PSC 113.0408 (2) (a), it appears to be the PSC’s intent to require utilities to establish an application system for prospective residential customers, not to require a prospective residential user of electric service to apply for such service. In s. PSC 113.0408 (2) (b), a utility “may require a verbal or written application” for service. Does this mean that the utility may choose to require neither? If so, this would appear to conflict with par. (a). These paragraphs and their interaction should be clarified. It may be helpful to revise this section to require utilities to establish a general application system in an introductory clause at the beginning of the section, and to require that application system to meet “all of the following requirements”.
- d. In s. PSC 113.0408 (2) (c) 1. b., the provisions related to the user and another person responsible for bill payment should be separated into separate subdivision paragraphs or otherwise reworded to avoid confusion.
- e. With respect to the list under s. PSC 113.0408 (2) (f), there does not appear to be a subd. par. “h.” in the proposed rule.

f. It is not clear how the prohibition against a utility requiring anything more in an application than what is listed under s. PSC 113.0408 (2) (c) 1. relates to the identity verification information that may be obtained under s. PSC 113.0408 (3). Should the introduction to s. PSC 113.0408 (2) (c) 1. state that its requirements apply “except as provided in sub. (3)”?

g. It is not clear what is intended under s. PSC 113.0408 (4) (c).

h. It is unclear how a third party could become obligated to pay for utility service under s. PSC 113.0408 (4) (d).

i. Throughout the proposed rule, the commission may wish to reconcile the use of “refused” and “denied” with regard to a utility’s evaluation of an application for service. [See, e.g., s. PSC 113.0408 (4) (d).]

j. The comments above, relating to s. PSC 113.0408, should also be considered in relation to ss. PSC 113.0409, 134.051, 134.053, 185.30, and 185.305, as applicable.

k. The repeal of s. PSC 185.37 (2) (L) should follow SECTION 10 of the proposed rule. [s. 1.04 (2) (a) 4. and (b), Manual.]

l. In SECTION 10, the period ending the sentence should be underscored as new material.