



Public Service Commission of Wisconsin

December 19, 2023

Rebecca Cameron Valcq, Chairperson
Tyler Huebner, Commissioner
Summer Strand, Commissioner

4822 Madison Yards Way
P.O. Box 7854
Madison, WI 53707-7854

Senator Stephen L. Nass
Senate Co-Chair Joint Committee for Review of
Administrative Rules
Room 10 South, State Capitol
Post Office Box 7882
Madison, WI 53707-7882

Representative Adam Neylon
Assembly Co-Chair Joint Committee for Review
of Administrative Rules
Room 204 North, State Capitol
Post Office Box 8952
Madison, WI 53708

Re: Petition for Authorization to Amend Wis. Admin. Code § PSC
185.61(1)

Dear Senator Nass and Representative Neylon:

On behalf of the Public Service Commission of Wisconsin, I submit this petition for your consideration to authorize the Commission to amend a portion of Wis. Admin. Code § PSC 185.61(1), related to the approval of flow meters. A copy of the proposed rule is enclosed. Pursuant to Wis. Stat. § 227.26(4)(b)1, the Commission has determined that a portion of PSC 185.61(1) may be unauthorized and should be amended, as specified below and in the attached proposed rule order.

2021 Wisconsin Act 86 created Wis. Stat. § 196.49(5g)(ar)1s. which exempted water utilities and combined water and sewer utilities from obtaining prior Commission approval for meter projects. Wis. Admin. Code § PSC 185.61(1) was not revised as part of this legislation and still requires Commission approval for the type of meters, specifically flow meters (e.g., magnetic and ultrasonic meters). While Act 86 clearly eliminated the requirement for Commission approval for the installation, repair, or replacement of meters, it also appears that the intent was to eliminate regulatory approval for all meter projects, including any approvals required as to the type of meter. Accordingly, the Commission respectfully submits that modifications to a portion of PSC 185.61(1) are needed to align with the intent of 2021 Wisconsin Act 86.

Sincerely,

Rebecca Cameron Valcq
Chairperson

KMK:DL:01980850

cc: Atty. Scott Grosz, Legislative Council
Atty. Mike Duchek, Legislative Reference Bureau

Enclosure