

BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN

*Filed Sept 29-1959  
9:30 am*

*DSC 104*

STATE OF WISCONSIN                    )  
  ) SS  
PUBLIC SERVICE COMMISSION            )

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Edward T. Kaveny, Secretary of the Public Service Commission of Wisconsin, and custodian of the official records of said commission, do hereby certify that the annexed created rules, chapter PSC 104

relating to 2-U-5223: Recording and Reporting of Accidents by Public Utilities

were duly approved and adopted by this Commission on September 4, 1959.

I further certify that said copy has been compared by me with the original on file in this commission and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at the Capitol, in the city of Madison, this 24th day of September A.D. 1959.

*Edward T. Kaveny*  
Secretary

ORDER OF THE PUBLIC SERVICE COMMISSION  
ADOPTING RULES

Pursuant to authority vested in the Public Service Commission by Section 196.72, Wis. Stats., the Public Service Commission hereby creates rules as follows:

Chapter PSC 104 of the WISCONSIN ADMINISTRATIVE CODE is adopted to read:

Chapter PSC 104

Recording and Reporting Utility Accidents

PSC 104.01 General (1) This Chapter (PSC 104) of the Public Service Commission's departmental rules is part of the Wisconsin Administrative Code and constitutes a general order of the Public Service Commission, the issuance of which is authorized by sections 196.72 and 227.014, Wis. Stats.

(2) The requirements of Chapter PSC 104 shall be observed by all public utilities, both privately and publicly owned.

(3) The manner of enforcing the rules in Chapter PSC 104 is prescribed in section 196.66, Wis. Stats., and such other means as provided in sections administered by the Public Service Commission.

(4) The purpose of these rules is to obtain information to enable the Public Service Commission to make rules regarding safety in supplying utility service.

PSC 104.02 Definitions. As used in these rules, the following words shall have the meaning hereinafter stated, unless the context clearly requires otherwise.

(1) "Accident" as used in Chapter 104 is any unscheduled or unforeseen event occurring upon a public utility's premises or directly or indirectly arising from or connected with its maintenance or operation which:

(a) results in any of the following:

1. A fatality.
2. More than 3 days' lost time by an employee.
3. Personal injury to non-employee requiring hospital confinement.
4. Property damage or other loss to the utility or another person exceeding \$500.

(b) or results from any of the following:

1. A malfunction, failure or improper use of equipment owned, controlled or used by the utility, other than a telephone utility, the use, strength, or location of which is prescribed by any rule of the Commission.
2. A malfunction, failure or improper use of any equipment referred to in section PSC 104.02(1)(b) 1., above, which results in an interruption of service to the extent set forth (a) in PSC section 113.22 for an electric utility, (b) in section PSC 134.18 for a gas utility, and (c) for other utilities, except telephone utilities, an interruption of service affecting an entire distribution system of an urban area or an important division of a community.
3. A malfunction, failure, or improper use of equipment which results in an interruption of telephone service to all customers in any one exchange or a major portion thereof.

(2) "Person" includes, in addition to a natural person, all associations, firms, partnerships, corporations, municipal and private.

(3) The term "public utility" or "utility" is defined by section 196.01(1), Wis. Stats.

PSC 104.03 Recording of Accidents. Every public utility shall keep a record of all known accidents, which record shall contain insofar as is known, a general description of the accident, the location, cause, personnel involved and injuries or damages sustained. Such record shall be made available to the Commission or its agents for inspection at the utility's principal office and reports as to individual accidents shall be supplied to the Commission when requested.

PSC 104.04 Notification of Accidents. (1) The utility shall notify the Commission immediately or as soon as reasonably possible by telephone or telegraph of all fatal accidents and explosions involving property damage exceeding \$1,500.00.

(2) The utility shall notify the Commission of the failure of any principal unit of equipment which results in an interruption of service to the extent set forth in PSC 104.02 (1)(b) 2. and 3.; of accidents involving property loss to others in excess of \$1,500; or of accidents involving loss or damage to utility property estimated to exceed \$10,000. Such notification shall be given within 6 days after knowledge of such failure or accident.

(3) The utility shall notify the Commission of accidents resulting in personal injuries to non-employees requiring hospital confinement. Such notification shall be given within 6 days after knowledge of such accident.

(4) The utility shall notify the Commission of accidents to employees resulting in more than 3 days' disability. Advice given promptly by the utility that notice has been given to the Industrial Commission shall be deemed compliance with this subsection.

(5) The notification shall indicate the location of the accident, its nature, the names of any injured persons and whether any such persons are employees.

(6) The utility and others are urged to notify the Commission of any unusual occurrences which, because of their number or dangerous potential, indicate the desirability of corrective action.

(7) Notifications provided for in section PSC 104.04 and reports provided for in section PSC 104.05 shall be required only for occurrences which result from functions directly connected with the furnishing of service by a utility. Accidents arising for reasons not related to specific public utility functions and which arise out of circumstances common to general business operations require no notification or report. Such matters as motor vehicle accidents, accidents occurring on the premises of a utility or third person due to slippery floors, falls or the like are types of situations where notification or reports are not required. The enumeration is not exclusive but is intended to be indicative of the type of case where notification or reports are not required.

PSC 104.05 Commission Procedure. (1) When a notification of an accident is received, the Commission may make an investigation or request a report from the utility.

(2) If notice of an accident is received from a source other than a utility the Commission may direct that an investigation be made or request the utility to investigate and report.

(3) If the Commission requests a report from a utility, such report shall contain information usually gathered in the case of accident investigations plus any special information requested. Such report shall be transmitted within 6 days after the date the request is made, unless the time therefor shall be extended by the Commission. The receipt of a report from a utility does not preclude the Commission from making its own investigation.

(4) Every utility shall furnish a report in any specific case not covered by the above, when requested by the Public Service Commission.

PSC 104.06 Status of Notification and Reports.

(1) All utility reports furnished at the Commission's request under section PSC 104.05 shall be considered restricted as provided for in section 196.72(1)(b), Wis. Stats.

(2) Information obtained by the Commission or its staff as a result of its own inquiry or investigation shall be treated in the same manner as other information in the Commission's files.

The created rules contained herein shall take effect on November 1, 1959, as provided in section 227.026 (1), Wis. Stats.

Dated: September 4, 1959

PUBLIC SERVICE COMMISSION OF WISCONSIN

*Edward T. Kavely*  
Secretary



PUBLIC SERVICE COMMISSION OF WISCONSIN

STATE OFFICE BUILDING  
MADISON 2, WISCONSIN

GEORGE P. STEINMETZ,  
CHAIRMAN  
ARTHUR L. PADRUTT,  
COMMISSIONER  
MARTIN G. GLAESER,  
COMMISSIONER  
EDWARD T. KAVENY, SECRETARY

September 24, 1959

FILE NO. 2-U-5223

Mr. James J. Burke  
Revisor of Statutes  
State Capitol  
Madison, Wisconsin

Investigation by Commission of a  
Proposed General Order for Recording  
and Reporting of Accidents by Public  
Utilities

Dear Sir:

Pursuant to Section 227.023, Wisconsin Statutes,  
we are enclosing a certified copy of the order of Septem-  
ber 4, 1959, in the above entitled matter adopting PSC  
chapter 104, Wisconsin Administrative Code.

Very truly yours,

*Edward T. Kaveny*

Secretary

mcb