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1-AC-44

CERTIFICATE

STATE OF WISCONSIN)
) ss.
PUBLIC SERVICE COMMISSION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Jacqueline K. Reynolds, Secretary of the Public Service Commission of Wisconsin, and custodian of the official records of said commission, do hereby certify that the annexed order amending Wis. Adm. Code section PSC 113.134(2)(a), 113.134(2)(b), 113.134(3), 134.064(2)(a), 134.064(2)(b), 134.064(3), 165.0535(2)(a), 165.0535(3), 185.39(2)(a), 185.39(2)(b), 185.39(3), repealing 165.0535(2)(b) and renumbering and amending 165.0535(2)(c), was duly approved and adopted by this commission on June 1, 1982.

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 commission at the Hill Farms State Office Building, in the City of Madison this 3rd day of June.

Jacqueline K. Reynolds
Jacqueline K. Reynolds
Secretary of the Public Service
Commission of Wisconsin

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COMPARED WITH AND CERTIFIED BY ME
TO BE A FULL, TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE IN MY OFFICE.

JUN 1 1982

Jacqueline K. Reynolds

Secretary to the Commission
Public Service Commission of Wisconsin

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Relating to Rule Allowing)
Telephone Resolution of)
Customer Disputes and)
Rules for Provision)
of Service to Disconnected)
Customers)

1-AC-44



ORDER OF THE PUBLIC
SERVICE COMMISSION AMENDING
AND ADOPTING RULES

Relating to amendment of secs. PSC 113.134(2)(a),
113.134(2)(b), 113.134(3), 134.064(2)(a), 134.064(2)(b),
134.064(3), 165.535(2)(a), 165.0535(3), 185.39(2)(a),
185.39(2)(b), 185.39(3), repeal of sec. PSC 165.0535(2)(b) and
renumbering and amendment of 165.0535(2)(c)--all regarding tele-
phone resolution of customer disputes.

ANALYSIS PREPARED BY THE PUBLIC
SERVICE COMMISSION OF WISCONSIN

On January 13, 1982, the Public Service Commission held
hearing into proposed amendment and creation of rules concerning
telephone resolution of customer-utility disputes.

These rules would allow informal staff resolution of
customer-utility disputes by telephone, with subsequent
confirmation in writing, if requested. Commission rules governing
disconnection of service now provide for a three-step procedure
for possible resolution of customer-utility disputes: (1)
investigation by the utility and negotiation with the customer,
(2) informal staff-suggested disposition, (3) formal commission
hearing at the commission's discretion. See sec. PSC 113.134,
134.064, 165.0535 and 185.39, Wis. Adm. Code.

The informal staff resolution stage is not a formal legal proceeding but an attempt to expeditiously and fairly mediate the disagreement to prevent disconnection of service if at all possible. The proposed rule amendments specifically allow such resolution to be communicated by the staff via telephone, with written confirmation following, if requested. The notice of hearing indicated the large number of utility customers who may have been subject to disconnection in the past. Given the large number of persons who may seek staff resolution of disputes and the need for expeditious treatment concerning essential utility service, the commission has determined to adopt these rules.

Participants at the January 13 hearing--who were predominantly if not entirely utility representatives--did not oppose these telephone resolution rules. In fact, the rules actually codify what has often been staff practice in the past.

RULES AND STATUTORY AUTHORITY

Pursuant to authority vested in the Public Service Commission by sections 196.02(1), 196.03, 196.28 and 196.37, Stats., and by sec. 227.014, the Public Service Commission adopts, repeals and amends the following rules:

SECTION 1: Sec. PSC 113.134(2)(a) is amended to read:

A request for informal review may be made in any reasonable manner such as by written notice or telephoned request directed to the public service commission. By telephone or written notice the public service commission staff may request the utility to investigate the dispute.

SECTION 2: Sec. PSC 113.134(2)(b) is amended to read:

There must be at least five days between the date the commission staff telephones or mails written notice of terms of settlement after informal review, and any subsequent disconnection.

SECTION 3: Sec. PSC 113.134(3) (intro.) is amended to read:

Any party to the dispute after informal review may make a written request for a formal review by the commission. Such request must be made within five days of the date the commission staff telephones or mails written notice of terms of settlement after informal review. If written confirmation of the staff telephone notice is requested and mailed, the five day period begins from the date of that mailing.

SECTION 4: Sec. PSC 134.064(2)(a) is amended to read:

A request for informal review may be made in any reasonable manner such as by written notice or telephone request directed to the public service commission. By telephone or written notice the public service commission staff may request the utility to investigate the dispute.

SECTION 5: Sec. PSC 134.064(2)(b) is amended to read:

There must be at least five days between the date the commission staff telephones or mails written notice of terms of settlement after informal review, and any subsequent disconnection.

SECTION 6: Sec. PSC 134.064(3) (intro.) is amended to read:

Any party to the dispute after informal review may make a written request for a formal review by the commission. Such request must be made within 5 days of the date the commission staff telephones or mails written notice of terms of settlement after informal review. If written confirmation of the staff telephone notice is requested and mailed, the five day period begins from the date of that mailing.

SECTION 7: Sec. PSC 165.0535(2)(a) is amended to read:

A request for informal review may be made in any reasonable manner such as by written notice or telephone request directed to the public service commission. By

telephone or written notice the public service commission staff may request the utility to investigate the dispute.

SECTION 8: Sec. PSC 165.0535(2)(b) is repealed.

SECTION 9: Sec. PSC 165.0535(2)(c) is renumbered 165.0535(2)(b) and is amended to read:

There must be at least five days between the date the commission staff ~~after informal review telephones or mails written notice of recommended terms of settlement after informal review to all parties;~~ and any subsequent disconnection.

SECTION 10: Sec. PSC 165.0535(3) (intro.) is amended to read:

Any party to the dispute after informal review may make a written request for a formal review by the commission. Such request must be made within five days of the date the commission staff telephones or mails written notice of terms of settlement after informal review. If written confirmation of the staff telephone notice is requested and mailed, the five day period begins from the date of that mailing.

SECTION 11: Sec. PSC 185.39(2)(a) is amended to read:

A request for informal review may be made in any reasonable manner such as by written notice or telephoned request directed to the public service commission. By telephone or written notice the public service commission staff may request the utility to investigate the dispute.

SECTION 12: Sec. PSC 185.39(2)(b) is amended to read:

There must be at least five days between the date the date the commission staff telephones or mails written notice of terms of settlement after informal review, and any subsequent disconnection.

SECTION 13: Sec. 185.39(3) (intro) is amended to read:

Any party to the dispute after informal review may make a written request for a formal review by the commission. Such request must be made within five days of the date the commission staff telephones or mails written notice of terms of settlement after informal review. If written confirmation of the staff telephone notice is

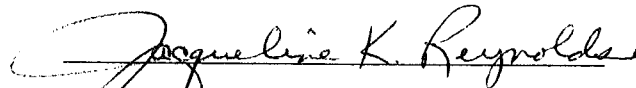
requested and mailed, the five day period begins from the date of that mailing.

Since the proposed rules deal with administrative handling of utility-customer disputes, there should be no fiscal impact on the state or municipalities (sec. 227.019, Stats.).

The proposed amendments will take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided in sec. 227.026, Stats.

Dated at Madison, Wisconsin, June 1, 1982

By the Commission.



Jacqueline K. Reynolds,
Secretary to the Commission



State of Wisconsin \ PUBLIC SERVICE COMMISSION

June 3, 1982

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Mr. Gary Poulson
Assistant Revisor of Statutes
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1-AC-44
File No.

Re: Relating to Rule Allowing Telephone
Resolution of Customer Disputes and Rules
for Provision of Service to Disconnected
Customers

Dear Mr. Poulson:

Enclosed please find two copies (one certified) of an order
of the Public Service Commission adopting rules in the above-
entitled matter.

The rules have been seen by legislative committees (sent
April 9, 1982). Thank you for your assistance.

Sincerely,

Steven Levine
Assistant Chief Counsel

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Enc.