

CR 86-129

RECEIVED

FEB 26 1987

9:10 AM  
Revisor of Statutes  
Bureau

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 creating Wis. Adm. Code section PSC 7 was duly approved and adopted by this commission on January 22, 1987.

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 19th day of February, 1987.

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

STATE OF WISCONSIN  
RECEIVED AND FILED

FEB 19 1987

DOUGLAS LA FOLLETTE  
SECRETARY OF STATE

4-1-87



DATE MAILED  
JAN 23 1987

STATE OF WISCONSIN  
RECEIVED AND FILED

FEB 19 1987

BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN

DOUGLAS LA FOLLETTE  
SECRETARY OF STATE

Assessment for Acid Deposition Research )  
and Monitoring Activities )

1-AC-106  
86-129

ORDER OF THE PUBLIC SERVICE  
COMMISSION ADOPTING RULES

To create Chapter PSC 7 of the Wisconsin Administrative Code.

SECTION 1. Chapter PSC 7 of the Wisconsin Administrative Code is created to read:

PSC 7.01 SCOPE

The purpose of this chapter is to implement s. 196.856, Stats., authorizing the commission to assess against the major utilities the expenses attributable to acid deposition studies and evaluation and monitoring activities which are conducted by the Public Service Commission, the Department of Natural Resources and the Department of Administration under ss. 16.02, 144.31 and 144.385 to 144.389, Stats.

PSC 7.02 DEFINITIONS

(1) "Agency" means the Public Service Commission, the Department of Natural Resources and the Department of Administration; it also means all three agencies.

(2) "Assessments" means charges made by the Public Service Commission to the major utilities for the expenditures set forth in secs. PSC 7.03 and 7.05.

(3) "Major utility" has the meaning set forth in s. 144.386(1)(f), Stats.

PSC 7.03 OCCASION FOR ASSESSMENT OF EXPENDITURES

(1) FISCAL YEAR 1986-87.

The commission shall assess anticipated agency expenditures for acid deposition studies, evaluation and monitoring activities during fiscal year 1986-87 in an amount not to exceed \$400,000. Assessments shall be made against the major utilities as these expenditures are authorized by the legislature.

(2) FISCAL YEARS SUBSEQUENT TO FISCAL YEAR 1986-87.

For fiscal years subsequent to the 1986-87 fiscal year, the commission shall, on an annual basis, or more frequently if necessary, assess against the major utilities such amounts as the legislature appropriates for acid deposition studies and for acid deposition evaluation and monitoring activities for each fiscal year.

(3) ADVANCE ASSESSMENTS.

The commission may make assessments in advance of agency expenditures for acid deposition studies, evaluation and monitoring.

(4) SUPPLEMENTAL APPROPRIATION.

If a supplemental appropriation is made pursuant to ss. 13.101 or 16.515, Stats., the commission shall assess the major utilities the amount of the supplemental appropriation

within a reasonable time after that appropriation is made, and may assess the amount in advance of expenditure.

(5) ASSESSABLE EXPENDITURES.

Assessable agency expenditures include all activities reasonably related to acid deposition studies, including the nitrogen oxide study under s. 144.389(3), and to acid deposition evaluation and monitoring activities.

PSC 7.04 ENTITIES SUBJECT TO ASSESSMENT.

Assessments for acid deposition activities shall be made against the major utilities.

PSC 7.05 ASSESSMENTS, TYPES OF EXPENSES.

(1) The types of expenditures attributable to the performance of the acid deposition activities of the Department of Natural Resources, the Public Service Commission and the Department of Administration shall include, but not be limited to:

- (a) Salary, including fringe benefits.
- (b) Travel expenses.
- (c) The cost of consultants.
- (d) Supplies and services.
- (e) The costs of contracting out portions of studies.
- (f) The cost of all equipment necessary to perform acid deposition studies, monitoring and evaluation.
- (g) Laboratory analysis expenses.

(2) Each agency shall maintain its own records, pursuant to standard state practices, which document these expenditures.

PSC 7.06 APPORTIONMENT AMONG UTILITIES.

(1) The assessment for acid deposition activities shall be apportioned among major utilities.

(2) The commission shall charge each major utility its share of the assessment in proportion to that utility's fraction of the total amount of annual sulfur dioxide emissions from major utilities in this state.

(3) The data used to determine the apportionment for each year shall be the data reported to the Department of Natural Resources under Chapter NR 101, Wis. Adm. Code for the most recent year for which data are available, and shall be supplied to the Public Service Commission by the Department of Natural Resources by June 1 of the year following the data base year.

PSC 7.07 BILLING.

The commission shall, upon completion of the apportionment prescribed by s. PSC 7.06, and pursuant to s. PSC 7.03, mail an apportioned bill to each major utility. The major utility shall, within thirty days after the mailing of the bill for the assessment, pay to the commission the amount for which it is billed.

Within 30 days after the date of the mailing of any assessment bill, the major utility that has been billed may file with the commission objections setting out in detail the grounds upon which the objector regards the bill to be excessive, erroneous, unlawful or invalid. The procedure set forth in s. 196.85(4), Stats. shall be followed by the objector and the commission. If the commission overrules or disallows the objections, the bill must be paid within ten days after notice of such overruling or disallowance.

These rules have been forwarded to the legislature for review pursuant to s. 227.19, Stats. They will take effect as final rules on the first day of the month following publication in the Wisconsin Administrative Register, as provided in s. 227.026, Stats.

CERTIFICATION

I hereby certify that Chapter PSC 7 of the Wisconsin Administrative Code, relating to the assessment of acid deposition costs by the Wisconsin Public Service Commission, has been duly adopted by the Public Service Commission, including legislative review prior to promulgation.

Dated at Madison, Wisconsin,

January 22, 1987

By the Commission.

Jacqueline K. Reynolds  
Jacqueline K. Reynolds  
Secretary to the Commission

erb01058712





State of Wisconsin \ PUBLIC SERVICE COMMISSION

MARY LOU MUNTS, CHAIRPERSON  
GEORGE EDGAR, COMMISSIONER  
CHARLES H. THOMPSON, COMMISSIONER  
4802 SHEBOYGAN AVENUE  
P.O. BOX 7854  
MADISON, WISCONSIN 53707

February 25, 1987

Mr. Gary Poulson  
Assistant Revisor of Statutes  
Suite 904  
30 West Mifflin Street  
Madison, Wisconsin 53703

File 1-AC-106

Re: Clearinghouse No. 86-129

Dear Mr. Poulson:

Enclosed please find a certified copy of Chapter PSC 7, recently promulgated by the Wisconsin Public Service Commission for publication in the Wisconsin Administrative Register.

If you have any questions, please call me at 266-1264.

Sincerely,

A handwritten signature in cursive script that reads "John F. Ebbott".  
John F. Ebbott  
Assistant Chief Counsel

JFE:mad02258701

Enclosure