

erection by the federal government of temporary buildings and facilities. The regents are authorized to charge to this appropriation the costs previously incurred and charged to other appropriations made in section 20.41 on account of temporary buildings and facilities provided by the federal government.

Approved May 17, 1947.

No. 135, A.]

[Published May 20, 1947.

CHAPTER 126.

AN ACT to renumber 196.49 (4a) and (5) to be 196.49 (5) (a) and (6); to amend 196.49 (5) (a) and (6), as renumbered, and 196.58 (6); and to create 196.49 (5) (b) to (i) of the statutes, relating to natural gas and public utilities.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 196.49 (4a) of the statutes is renumbered 196.49 (5) (a) and amended to read:

196.49 (5) (a) No public utility furnishing gas to the public in this state shall construct, install or place in operation any new plant, equipment, property or facility, or construct or install any extension, improvement, addition or alteration to its existing plant, equipment, property or facilities for the purpose of connecting its properties and system to a source of supply of gaseous fuel for sale to the public which is different from that which has been theretofore sold, or for the purpose of adapting its facilities to such different kind of gaseous fuel unless and until the commission shall have found and certified that the general public interest and public convenience and necessity require the same; nor shall any such public utility substitute natural gas or a mixture of natural and manufactured gas in lieu of manufactured gas for distribution and sale to the public without first having obtained from the commission a certificate that the general public interest and public convenience and necessity require the same. * * *

SECTION 2. 196.49 (5) (b) to (i) of the statutes are created to read:

196.49 (5) (b) Proceedings for such a certificate shall be com-

menced by petition to the commission in such form and furnishing such information as the commission shall by general or special order prescribe. The commission shall also prescribe the form of notice, to whom the same shall be given, and how notice shall be given.

(c) A petition may include one or more municipalities, may be made by one or more utilities as a joint petition, or by any other person or corporation interested or by a utility and such other person or corporation so interested, and the commission may direct the consolidation, separation or consideration of separate petitions as it may deem necessary or expedient to a prompt hearing and disposition of the issue.

(d) Upon the filing of such petition, notice of hearing thereon shall be given by any utility or person filing such petition by publication in such newspapers and by posting such notices in such public places or by mailing or personal service, as the commission shall direct by the order provided for in paragraph (b). Such notice shall be given, as herein provided, at least 2 weeks prior to hearing on such petition and proof thereof filed as directed by the commission.

(e) The commission may by order prior to or during any hearing frame and prescribe special issues and limit the issues or the nature and extent of proof so as to avoid unnecessary duplication or may proceed with the hearing as to part of an application as it may find desirable to a full but speedy hearing upon such petition.

(f) The commission may likewise accept the findings and orders of the federal power commission or any other federal agency having jurisdiction as to the availability of adequate supplies of natural gas, the adequacy or sufficiency of equipment and facilities to be employed in the delivery or storage of natural gas for any utility, and any similar findings or determinations affecting the seller or person or corporation furnishing such natural gas to any utility and material to the ultimate determination of the issues in such proceedings as presumptive evidence of the facts so found, and may likewise accept and take judicial notice of its own files and records, including all proceedings and the evidence therein which it may find to be material and relevant, provided, however, that in any such event the commission shall give notice of such fact prior to the conclusion of final hearings upon any proceeding

so as to give interested parties the right to object to the acceptance of such evidence or to contradict the same by other competent evidence.

(g) The certificate, when granted, shall be authorized by an order following such hearing which shall contain such conditions and limitations as the commission may deem necessary or practicable, including exceptions or regulations as to specific communities or utilities, provision for protection of employes under existing labor contracts, as well as other employes, so as to avoid unemployment, regulations for accounting for expenses for change-over to the use of natural gas where necessary and to the extent necessary, provision for amortization of any expenditure or other items, and such other regulations, conditions and limitations as the commission may consider necessary in the public interest.

(h) Any certificate may extend to one or more utilities or one or more municipalities when so directed by the order, and may prescribe different conditions and regulations for each, as the commission shall deem necessary to carry out the purposes of this section.

(i) In making its determination, the commission shall give due consideration, among all other appropriate factors, to all matters affecting the public interest, including when the substitution of natural or a mixture of natural and manufactured gas in lieu of manufactured gas, is involved, the social and economic effects thereof by reason of its effect upon employment, existing business and industries, railroads and other transportation agencies and facilities, conveniences, economies and savings to consumers, the likelihood of substantial rate reductions, the effect upon existing gas utilities and their ability to continue to serve the public, the state, any of its political subdivisions or any citizen or resident thereof.

SECTION 3. 196.49 (5) of the statutes is renumbered to be 196.49 (6) and, as renumbered, amended to read:

196.49 (6) If the commission shall find that any public utility has undertaken or is about to undertake such a project as is herein described in violation or disregard of such general or special order, the commission may in its own name *either before or after investigation or public hearing and either before or after issuing any additional orders or directions as it may deem proper*, bring an action in the circuit court of Dane county to

enjoin such violation or disregard of such order. Where necessary to preserve the status quo the court may issue a temporary injunction pending a hearing upon the merits. From any such order or judgment of the circuit court an appeal may be taken to the supreme court as provided in chapter 274.

SECTION 4. 196.58 (6) of the statutes is amended to read:

196.58 (6) No public utility furnishing and selling gaseous fuel or undertaking to furnish or sell such gaseous fuel in a town, village or city where such fuel has not theretofore been sold to the public shall change the character or kind of such fuel by substituting for manufactured gas any natural gas or any mixture of natural and manufactured gas for the distribution and sale in any town, village or city, or undertake the sale of natural gas in any town, village or city where no gaseous fuel was previously sold, unless the municipal council thereof shall, by authorization, passage or adoption of appropriate contract, ordinance or resolution, approve and authorize the same * * *; provided that any contract, ordinance or resolution enacted pursuant to this subsection shall not be inconsistent or in conflict with any certificate granted pursuant to proceedings authorized under section 196.49.

Approved May 17, 1947.

No. 212, S.]

[Published May 20, 1947.

CHAPTER 127.

AN ACT to amend 29.134 (1) (g), (4), (9) and (11); and to create 29.134 (1) (h) and (6m) of the statutes, relating to the regulation of fur buyers and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 29.134 (1) (g), (4), (9) and (11) of the statutes are amended to read:

29.134 (1) (g) "Itinerant fur buyers" means persons, firms or corporations other than resident fur dealers who engage in the business of buying, bartering, trading or otherwise obtaining raw furs from trappers or from fur buyers or fur dealers in retail lots for purposes of resale, *except those buying furs*