

## Chapter PSC 134

## STANDARDS FOR GAS SERVICE

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**PSC 134.01 General.** (1) Chapter PSC 134 of the public service commission's departmental rules is part of the Wis. Adm. Code and constitutes a general order of the public service commission, the issuance of which is authorized by sections 227.014, 196.02, 196.06, 196.10, 196.12, 196.15, 196.16, 196.17, and 196.19, Wis. Stats.

(2) The rules making up chapter PSC 134 are designed to effectuate and implement sections 196.02, 196.03, 196.06, 196.10, 196.12, 196.15, 196.16, 196.17, 196.19, 196.21, 196.22, 196.60, 196.62 and parts of other sections of the Wisconsin statutes.

(3) The requirements of chapter PSC 134 shall be observed by all public utilities, both privately and publicly owned, engaged in the manufacture, mixing, purchasing, storage, transmission and/or distribution of gaseous fuel.

(4) The manner of enforcing the rules in chapter PSC 134 is prescribed in section 196.66, Wis. Stats., and such other means as provided in statutory sections administered by the public service commission.

(5) In case of emergency, where public interest requires immediate action without waiting for compliance with the specific terms of these rules, immediate corrective action shall be taken by the utility, which action, however, shall be subject to review by the public service commission.

(6) Periodic reports to the public service commission are required by Wis. Adm. Code sections PSC 134.14 (6); PSC 134.17; PSC 134.18 (3); PSC 134.19 (3); PSC 134.25 (4). Individual reports are required by PSC 134.18 (4) and (5).

**History:** 1-2-56; r. and recr. Register, February, 1959, No. 38, eff. 3-1-59; am. (5), Register, January, 1965, No. 109, eff. 2-1-65.

**PSC 134.014 History:** 1-2-56; r. Register, February, 1959, No. 38, eff. 3-1-59.

**PSC 134.015 History:** 1-2-56; r. Register, February, 1959, No. 38, eff. 3-1-59.

**PSC 134.02 Definitions.** The following terms as used in this chapter mean:

(1) **APPLIANCE.** A gas appliance is any device which utilizes gas fuel to produce light, heat, or power.

(2) **COMPLAINT.** Complaint as used in this chapter (PSC 134) is a statement or question by anyone, whether a utility customer or not, involving a wrong, grievance, injury, dissatisfaction, illegal action or procedure, dangerous condition or action, or utility obligation.

(3) **DEMAND.** Gas demand means the amount of gas required per unit of time, usually expressed in cubic feet, Btu, or therms per unit of time.

(4) **DRY GAS.** Dry gas as applied to gas usage means a gas having a moisture and hydrocarbon dew point below any normal temperature to which the gas piping is exposed. As applied to determination of heating value or specific gravity it means the complete absence of moisture or water vapor.

(5) **GAS.** Gas as used in this chapter is any gas or mixture of gases suitable for domestic or industrial fuel and transmitted or distributed to the user through a piping system. The common types are natural gas, manufactured gas, and liquefied petroleum gas distributed as a vapor with or without admixture of air.

(6) **HEATING AND CALORIFIC VALUES.** (a) *British thermal unit (Btu).* A British thermal unit is the quantity of heat that must be added to one avoirdupois pound of pure water to raise its temperature from 58.5° F to 59.5° F under standard pressure.

(b) *Dry calorific value.* The dry calorific value of a gas (total or net) is the value of the total or the net calorific value of the gas divided by the volume of dry gas in a standard cubic foot. (Note: The amount of dry gas in a standard cubic foot is .9826 cu. ft.).

(c) *Net calorific value of a gas.* The net calorific value of a gas is the number of British thermal units evolved by the complete combustion, at constant pressure, of one standard cubic foot of gas with air, the temperature of the gas, air, and products of combustion being 60° F and all water formed by the combustion reaction remaining in the vapor state.

(Note: The net calorific value of a gas is its total calorific value minus the latent heat of evaporation at standard temperature of the water formed by the combustion reaction).

(d) *Therm.* Therm means 100,000 British thermal units.

(e) *Total calorific value.* Total calorific value of a gas is the number of British thermal units evolved by the complete combustion, at constant pressure, of one standard cubic foot of gas with air, the temperature of the gas, air, and products of combustion being 60° F and all water formed by the combustion reaction condensed to the liquid state.

(7) **METER.** A meter is an instrument installed to measure the volume of gas delivered through it.

(8) **MUNICIPALITY.** A municipality is any town, city or village.

(9) **PRESSURE.** (a) *Pressure.* Pressure unless otherwise stated is expressed in pounds per square inch above atmospheric pressure, i.e. gauge pressure. (Abbreviation—psig).

(b) *Standard pressure.* See (11) (c) below.

(c) *Standard service pressure.* Standard service pressure is the gas pressure which a utility undertakes to maintain on the meters of all customers except the meters of customers utilizing high-pressure service.

(10) PUBLIC UTILITY. Public utility is defined in section 196.01, Wis. Stats., and chapter PSC 134 applies to those supplying public utility gas service.

(11) STANDARDS. (a) *Specific gravity of a gas.* The specific gravity of a dry gas is the ratio of the molecular weight of the dry gas or gas mixture to the molecular weight of dry air. This is the dry specific gravity.

(b) *Standard cubic foot of gas.* A standard cubic foot of gas is the quantity of any gas that at standard temperature and under standard pressure will fill a space of 1 cu. ft. when in equilibrium with liquid water.

(Note: According to Dalton's Law, this is equivalent to stating that the partial pressure of the gas is:  $30 - 0.522 = 29.478$  inches of mercury column).

(c) *Standard pressure.* Standard pressure is the absolute pressure of pure mercury 30 inches in height at 32°F and under standard gravity (Gravity 32.174 ft. per sec.). (Equivalent to 14.735 lbs. per sq. in.).

(d) *Standard temperature.* Standard temperature is 60°F based on the international temperature scale.

(12) UNMEASURED GAS. Unmeasured gas is gas which has not been measured by a meter.

**History:** 1-2-56; r. and recr. Register, February, 1959, No. 38, eff. 3-1-59.

**PSC 134.03 Service.** Every gas utility shall furnish reasonably adequate service and facilities at the rates filed with the commission and subject to these rules and the rules of the utility filed with this commission which are applicable thereto and not otherwise. The utility shall be operated in such manner as to obviate so far as reasonably practicable, undesirable effects upon the operation of standard services, standard utilization equipment, equipment of the utility, and upon the service and facilities of other utilities and agencies.

**History:** 1-2-56; r. and recr. Register, February, 1959, No. 38, eff. 3-1-59.

**PSC 134.04 Schedules to be filed with commission.** The schedules of rates and rules shall be filed with the commission by the utility and shall be classified, designated, arranged, and submitted so as to conform to the requirements of current tariff or rate schedule circulars and special instructions which have been and may from time to time be issued by the commission. Provisions of the schedules shall be definite and so stated as to minimize ambiguity or the possibility of misinterpretation, and shall include, together with such other information as may be deemed pertinent, the following:

(1) All rates for service with indication for each rate of the type of gas and the class of customers to which each rate applies. There shall also be shown any limitations on loads and type of equipment which may be connected, the prices per unit of service, and the num-

ber of units per billing period to which the prices apply, the period of billing, the minimum bill, method of measuring demands and consumptions, including method of calculating or estimating loads or minimums, and any special terms and conditions applicable. The discount for prompt payment or penalty for late payment, if any, and the period during which the net amount may be paid shall be specified.

(2) By municipalities, but without reference required to any particular part thereof, the type of gas supplied and the type of service (firm and/or interruptible).

(3) Forms of standard contracts required of customers for the various types of service available.

(4) If service to other utilities or municipalities for resale is furnished at a standard filed rate, either a copy of each contract or the standard contract form together with a summary of the provisions of each signed contract. The summary shall show the principal provisions of the contract and shall include the name and address of the customer, the points where gas is delivered, rate, term, minimums, load conditions, heating value of gas, pressures, and any special provisions such as rentals.

(5) Copies of special contracts for the purchase, sale, or interchange of gas.

(6) List of villages, cities, and unincorporated communities where urban rates are applicable, and towns in which service is furnished.

(7) Definitions of classes of customers.

(8) Extension rules for extending service to new customers indicating what portion of the extension or cost thereof will be furnished by the utility; and if the rule is based on cost, the items of cost included.

(9) Type of construction required of the customer if different from requirements in Wis. Adm. Code chapter PSC 135.

(10) Designation of such portion of the service facilities as the utility furnishes, owns, and maintains.

(11) Rules with which prospective customers must comply as a condition of receiving service, and the terms of contracts required.

(12) Rules governing the establishment of credit by customers for payment of service bills.

(13) Rules governing disconnecting and reconnecting service.

(14) Notice required from customer for having service discontinued.

(15) Rules covering temporary, emergency, auxiliary, and standby service.

(16) Rules covering the type of equipment which may or may not be connected.

(17) The list of service areas and the rates shall be filed in such form as to facilitate ready determination of the rates available in each municipality and in such unincorporated communities as have service at urban rates. If the utility has various rural rates, the areas where the same are available shall be indicated.

**History:** 1-2-56; r. and recr. Register, February, 1959, No. 38, eff. 3-1-59.

**PSC 134.05 Information available to customers.** (1) There shall be kept on file in every station and office of the utility where customer payments are received copies of the rate schedules applicable in such

locality. Copies of these rules and such rules of the utility as are applicable shall be kept on file in every general and local office of the utility. Reasonable notice shall be given customers as to where the foregoing information is available to them.

(2) Where a customer is eligible to take service under any one or more of 2 or more rates, the company shall advise the customer in the selection of the rate or rates which result in the lowest cost of service, based on 12 months' service and on the information at hand.

(3) Each gas utility, for every municipality in which it serves, shall provide in the respective telephone directories a telephone listing by which the utility can be notified during a 24-hour day of any utility service deficiency or emergency which may exist.

(4) Where a second language is common in a particular area served by the utility and so identified by the Commission, all rules pertaining to billing and credit shall be available upon customer request for distribution in English and that second language in every business office of the utility in that area accessible to the public and where customer payments are received.

**History:** 1-2-56; r. and recr. Register, February, 1959, No. 33, eff. 3-1-59; renum. PSC 134.05 to be PSC 134.05 (1); cr. (2), Register, January, 1965, No. 109, eff. 2-1-65; am. (1), renum. (2) to be (3) and cr. (2) and (4), Register, January, 1975, No. 229, eff. 2-1-75.

**PSC 134.06 Deposit, guarantee, and disconnect rules.** **History:** 1-2-56; r. Register, January, 1975, No. 229, eff. 2-1-75.

**PSC 134.061 Deposits.** (1) **NEW RESIDENTIAL SERVICE.** A utility shall not require a cash deposit or other guarantee as a condition of new service unless a customer has an outstanding account balance with the utility which accrued within the last 6 years, and which at the time of the request for new service remains outstanding and not in dispute. (See Wis. Adm. Code section PSC 134.064.)

(2) **EXISTING RESIDENTIAL SERVICE.** A utility shall not require a cash deposit or other guarantee as a condition of continued service unless either or both of the following circumstances apply:

(a) The utility has shut off or discontinued the service of the customer within the last 12-month period for violation of the utility's filed rules or for nonpayment of a delinquent service account not currently in dispute.

(b) Subsequent credit information indicates that the initial application for service was falsified or incomplete to the extent that a deposit would be required under this section.

(3) **COMMERCIAL SERVICE.** (a) In the case of commercial service if the credit of an applicant for service has not been established satisfactorily to the utility, he may be required to deposit a sum not exceeding the estimated gross bills for service for any 2 consecutive billing periods selected by the utility.

(b) In the case of commercial service, the deposit shall be refunded after 24 consecutive months of prompt payment, if the customer's credit standing is satisfactory to the utility.

(c) In the case of commercial accounts, payment shall be considered "prompt" if it is made prior to notice of disconnection for nonpayment not in dispute.

(4) **CONDITIONS OF DEPOSIT.** The maximum deposit for a new account shall not exceed the highest estimated gross bill for any 2 consecutive months. Deposits for existing accounts shall not exceed the highest actual gross bill for any 2 consecutive months within the preceding 12-month review period as determined by the utility.

(5) **INTEREST.** Deposits shall bear interest of at least the legal rate payable from the date of deposit to the date of refund or discontinuance of service, whichever is earlier.

(6) **REVIEW.** The utility shall review the payment record of each residential utility customer with a deposit on file at 12-month intervals. The utility shall not require or continue to require a cash deposit unless a deposit is required under the provisions of section PSC 135.061 (2). ✓

(7) **REFUND.** Any deposit or portion thereof refunded to a customer shall be refunded by check unless both the customer and the utility agree to a credit on the regular billing or unless subsection (8) applies.

(8) **ACCRUED INTEREST.** Upon termination of service, the deposit, with accrued interest shall be credited to the final bill and the balance shall be returned promptly to the customer.

(9) **GUARANTEE.** A utility shall not require any customer to pay a deposit or establish a guarantee in lieu of deposit without explaining, in writing if requested, why that deposit is being required.

(10) **REFUSAL OF SERVICE.** Service may be refused or disconnected for failure to pay a deposit request subject to the rules pertaining to disconnection and refusal of service. (Wis. Adm. Code section PSC 134.062) ✓

(11) **GUARANTEE TERMS AND CONDITIONS.** (a) The utility may accept, in lieu of a cash deposit, a contract signed by a guarantor satisfactory to the utility, whereby payment of a specified sum not exceeding the cash deposit requirement is guaranteed. The term of such contract shall be for no longer than 2 years, but shall automatically terminate after the customer has closed his account with the utility, or at the guarantor's request upon 30 days' written notice to the utility.

(b) Upon termination of a guarantee contract or whenever the utility deems same insufficient as to amount or surety, a cash deposit or a new or additional guarantee may be required upon reasonable written notice to the customer. The service of any customer who fails to comply with these requirements may be disconnected upon 8 days' written notice.

(c) The utility shall mail the guarantor copies of all disconnect notices sent to the customer whose account he has guaranteed unless the guarantor waives such notice in writing.

(12) **DEFERRED PAYMENT.** In lieu of a cash deposit or guarantee, an applicant for new service who has an outstanding account accrued within the last 6 years with the same utility shall have the right to receive service from that utility under a deferred payment agreement as defined in Wis. Adm. Code section PSC 134.063 for the outstanding account.

(13) **APPLICABILITY.** The rules in subsections (11) and (12) of this section are not applicable to deposits or guarantees made in connection with the financing of extensions or other equipment. *er 1/2/11*

**History:** Cr. Register, January, 1975, No. 229, eff. 2-1-75. *essing*

**PSC 134.062 Disconnection and refusal of service.** (1) (a) In no circumstances will the cumulative time before notice of disconnection be less than 20 days after the date of issuance of the bill and an account may be deemed delinquent for the purpose of disconnection after such period has elapsed.

(b) At least 8 calendar days prior to disconnection, the utility shall give written disconnect notice upon a form which must be in the tariff of the utility filed with the public service commission and which conforms to the requirements of Wis. Adm. Code section PSC 134.062 (8) unless excepted elsewhere.

(c) When a customer, either directly or through the public service commission, disputes a disconnection notice the utility shall investigate any disputed issue and shall attempt to resolve that issue by negotiation. During this investigation and negotiation, utility service shall not be disconnected over this matter.

(d) If a disputed issue cannot be resolved pursuant to Wis. Adm. Code section PSC 134.064 (1), the utility shall inform the customer of the right to contact the public service commission.

(2) Utility service may be disconnected or refused for any of the following reasons:

(a) Failure to pay a delinquent account or failure to comply with the terms of a deferred payment agreement (See Wis. Adm. Code section PSC 134.063.).

(b) Violation of the utility's rules pertaining to the use of service in a manner which interferes with the service of others or to the operation of nonstandard equipment, if the customer has first been notified and provided with reasonable opportunity to remedy the situation.

(c) Failure to comply with deposit or guarantee arrangements as specified in Wis. Adm. Code section PSC 134.061.

(d) Diversion of service around the meter.

(3) A public utility may disconnect utility service without notice where a dangerous condition exists for as long as the condition exists.

(4) Service may be denied to any customer for failure to comply with applicable requirements of this section, or of the utility's rules, or if a dangerous or unsafe condition exists on the customer's premises.

(5) Utility service may not be disconnected or refused for any of the following reasons:

(a) Nonpayment of a delinquent account over 6 months old where collection efforts have not been made within that period of time unless the passage of additional time results from other provisions herein or from good faith negotiations or arrangements made with the customer.

(b) Delinquency in payment for service by a previous occupant of the premises to be served other than a member of the same household residing at the same premises.

(c) Failure to pay for merchandise or charges for non-utility service billed by the utility.

(d) Failure to pay for a different type or class of utility service.

(e) Failure to pay the account of another customer as guarantor thereof.

(f) Failure to pay charges arising from any underbilling occurring more than one year prior to the current billing and due to any misapplication of rates.

(g) Failure to pay charges arising from any underbilling occurring more than one year prior to the current billing and due to any faulty metering.

(h) Failure to pay an estimated bill other than a bill rendered pursuant to an approved bimonthly meter reading plan unless the customer upon request refuses to permit the reading of the meter during normal business hours.

(6) A utility shall not disconnect any residential service without notifying the county department of health and social services at least 5 calendar days prior to the scheduled disconnection, if the customer or responsible person has made a written request for this procedure to the utility. The customer shall be appraised of this right upon application for service.

(7) Notwithstanding any other provision of this section, a utility may not disconnect service to a residential customer if disconnection will aggravate an existent medical emergency of the customer, a member of his family or other permanent resident of the premises where service is rendered and if the customer conforms to the procedure described in paragraph (a), below.

(a) A utility shall postpone the disconnection of service for 21 days to enable the customer to arrange for payment, if the customer produces a licensed Wisconsin physician's statement or notice from a public health or social services official which identifies the medical emergency and specifies the period of time during which disconnection will aggravate the circumstances. The postponement may be extended once by renewal of the certificate or notice. No further extension of time shall be granted except upon a showing by the customer of the existence of extraordinary circumstances and further that he has exercised due diligence in meeting the emergency as evidenced in part by close and continuous communication with the utility.

(b) During the period service is continued under the provisions of this subsection, the customer shall be responsible for the cost of residential utility service. However, no action to disconnect that service will be undertaken until expiration of the period of continued service.

(c) If there is a dispute concerning an alleged existent medical emergency, either party shall have the right to an informal review by



the public service commission staff. Pending a decision after informal review, residential utility service shall be continued provided that the resident has submitted a statement or notice as set forth in paragraph (a) of this subsection.

(8) (a) A utility shall not disconnect service unless written notice by first class mail is sent to the customer or personally served at least 8 calendar days prior to the first date of the proposed disconnection. Notice shall be sent to the account name and address, and to the address where service is provided, if different. If disconnection is not accomplished on or before the 15th day after the first notice date, a subsequent notice must be left on the premises not less than 24 hours nor more than 48 hours prior to disconnection.

(b) The utility shall make a reasonable effort to have a personal or telephone contact with the customer prior to disconnection.

(c) Disconnection notice shall be given upon a form approved by the Commission, and shall contain the following information:

1. The name and address of the customer and the address of service, if different.

2. A statement of the reason(s) for the proposed disconnection of service and that disconnection will occur if the account is not paid, or if arrangement is not made to pay the account under deferred payment agreement, or if other suitable arrangements are not made, or if equipment changes are not made. If disconnection of service is to be made for default on a deferred payment agreement, the notice shall include an explanation of the acts of the customer which are considered to constitute default.

3. A statement that the customer should communicate immediately upon receipt of the notice with the utility's designated office, listing a telephone number, if he disputes the notice of delinquent account, if he wishes to negotiate a deferred payment agreement as an alternative to disconnection, if any resident is seriously ill, or if there are other extenuating circumstances.

4. A statement that residential utility service will be continued for up to 21 days during serious illness if the account holder submits a statement or notice pursuant to Wis. Adm. Code section PSC 134.062 (7).

5. A statement that the customer may appeal to the public service commission staff in the event that the grounds for the proposed disconnection or the amount of any disagreement remains in dispute after the customer has pursued the available remedies with the utility.

(9) (a) Service shall not be disconnected on a day, or on a day immediately preceding a day, when the business offices of the utility are not available to the public for the purpose of transacting all business matters unless the utility provides personnel which are readily available to the customer 24 hours per day to evaluate, negotiate or otherwise consider the customer's objection to the disconnection as provided under Wis. Adm. Code section PSC 134.064 and proper service personnel are readily available to restore service 24 hours per day.

(b) If a residential service which has been disconnected has not been restored to service within 24 hours after the time of the disconnection, the utility shall inform the local law enforcement department of the billing name and the service address and that a threat to health and life might exist to persons occupying the premises.

*may*  
*1/2/76*  
**History:** Cr. Register, January, 1975, No. 229, eff. 2-1-75; am. (1) (a) and (5) (a), Register, December, 1975, No. 240, eff. 1-1-76.

**PSC 134.063 Deferred payment agreement.** The utility is required to offer deferred payment agreements only to residential accounts.

(1) Every deferred payment agreement entered into due to the customer's inability to pay the outstanding bill in full shall provide that service will not be discontinued if the customer pays a reasonable amount of the outstanding bill and agrees to pay a reasonable portion of the remaining outstanding balance in installments until the bill is paid.

(2) For purposes of determining reasonableness under these rules the parties shall consider the:

- (a) Size of the delinquent account.
- (b) Customer's ability to pay.
- (c) Customer's payment history.
- (d) Time that the debt has been outstanding.
- (e) Reasons why debt has been outstanding.
- (f) Any other relevant factors concerning the circumstances of the customer.

(3) A deferred payment agreement offered by a utility shall state immediately preceding the space provided for the customer's signature and in bold face print at least 2 sizes larger than any other used thereon, that "IF YOU ARE NOT SATISFIED WITH THIS AGREEMENT, DO NOT SIGN. IF YOU DO SIGN THIS AGREEMENT YOU GIVE UP YOUR RIGHT TO DISPUTE THE AMOUNT DUE UNDER THE AGREEMENT EXCEPT FOR THE UTILITY'S FAILURE OR REFUSAL TO FOLLOW THE TERMS OF THIS AGREEMENT."

(4) A deferred payment agreement shall not include a finance charge.

(5) If an applicant for utility service has not fulfilled terms of a deferred payment agreement, the utility shall have the right to disconnect pursuant to disconnection of service rules (Wis. Adm. Code section PSC 134.062) and under such circumstances, it shall not be required to offer subsequent negotiation of a deferred payment agreement prior to disconnection.

(6) Any payments made by a customer in compliance with a deferred payment agreement, or otherwise, shall be first considered

made in payment of the previous account balance with any remainder credited to the current bill.

**History;** Emerg. cr. eff. 1-21-75; cr. Register, January, 1975, No. 229, eff. 2-1-75.

**PSC 134.064 Dispute procedures.** (1) Whenever the customer disputes the utility's request for a deposit or other guarantee, or advises the utility's designated office prior to the disconnection of service that all or any part of any billing as rendered is in dispute, or that any matter related to the disconnection or refusal of service is in dispute, the utility shall:

- (a) Investigate the dispute promptly and completely.
- (b) Advise the customer of the results of the investigation.
- (c) Attempt to resolve the dispute.
- (d) Provide the opportunity for the customer to enter into a deferred payment agreement when applicable in order to settle the dispute.

(2) After the customer has pursued the available remedies with the utility, he may request that the public service commission staff informally review the disputed issue and recommend terms of settlement.

(a) 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.

(b) There must be at least 5 days between the date the commission staff mails written notice of terms of settlement after informal review, and any subsequent disconnection.

(3) 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 mails written notice of terms of settlement after informal review.

(a) Within 10 days from the time such a request is made, the commission shall decide on the basis of the information it has received from the staff whether to hold a hearing on the matter and shall inform both parties of its decision.

(b) If the commission decides to conduct formal hearing on the dispute, the customer shall be required to pay 50% of the bill or deposit in dispute to the utility or post bond for that amount on or before date of hearing. Such payment or bond may be waived by the commission for good cause shown. Failure to pay the specified amount before hearing will constitute waiver by the customer.

(c) Such a hearing shall conform to the procedures described in sections 196.26 to 196.34, Wis. Stats.

(d) Any such hearing shall be held not less than 10 days following a notice of hearing and a decision thereon shall be rendered following the conclusion of the hearing.

(4) Utility service shall not be disconnected or refused because of any disputed matter while the disputed matter is being pursued in accordance with the provisions of this section. In no way does this

relieve the customer from obligation of paying charges which are not in dispute.

**History:** Emerg. cr. eff. 1-21-75; cr. Register, January, 1975, No. 229, eff. 2-1-75; am. (1), (3) (b) and (4), Register, December, 1975, No. 240, eff. 1-1-76.

**PSC 134.09 Refusal of service.** **History:** 1-2-56; r. and recr. Register, February, 1959, No. 38, eff. 3-1-59; r. and recr. (1), (2), and (3), to be PSC 134.06, Register, August, 1962, No. 80, eff. 9-1-62; emerg. r. eff. 1-21-75; r. Register, January, 1975, No. 229, eff. 2-1-75.

**PSC 134.10 Service on customer's premises.** (1) All changes in the heating value standard, all changes in pressure and specific gravity greater than the allowable variation, and changes in the composition of the gas which would materially affect the operation of the customer's appliances must be accompanied by a general inspection and adjustment of all appliances that would be affected by the changes. The utility shall make such adjustments and such changes to all customers' appliances that are connected to an interior piping system at the time of the change as may be necessary in order that the appliance may operate as efficiently and give as good service as was possible before the change. This should be done promptly and without cost or unnecessary inconvenience to the customer.

(2) If in connection with a service change specified in (1) above, a piece of properly operating utilization equipment cannot be adjusted so that it will operate satisfactorily and if it must be replaced in its entirety the utility shall share equitably in the cost of changing the equipment. The change in customer's equipment should be made with the greatest possible economy to the customer, and final settlement made at the time of the change. A satisfactory settlement would be payment by the utility to the customer of the remaining value of the customer's equipment and the cost of removing the old and installing in the same position substantially equal equipment which replaces it.

(3) (a) Each utility shall adopt and file with this commission a policy for inspection of customer's appliances. The filed rule need not include the inspection and adjustment of special industrial equipment, which should be checked by persons more familiar with the equipment. The filed rule shall provide that customers having such equipment are to be notified.

(b) Each gas utility shall establish an educational and inspection program designed to inform customers and assist the general public in the proper and efficient operation and maintenance of gas burning equipment. Such program shall advise customers to have heating equipment checked annually and offer energy saving suggestions to customers.

(c) Whenever a gas utility is required to enter a customer's premises to re-establish service to relight appliances due to a non-emergency interruption of service, an inspection of the burner ignition and flame appearance shall be made on each appliance which is relit to check for safety and efficient operation. The utility will be prepared to advise the customer relative to the safety and efficiency of connected appliances.

**History:** 1-2-56; r. and recr. Register, February, 1959, No. 38, eff. 3-1-59; am. (3), Register, March, 1977, No. 255, eff. 4-1-77.

Register, March, 1977, No. 255

**PSC 134.11 Meters and control equipment.** (1) Where possible to do so, all gas quantities required to be reported to the commission shall be metered.

(2) All gas sold to customers shall be measured by commercially acceptable measuring devices owned and maintained by the utility. The maintenance of the accuracy of the meters shall be the responsibility of the utility.

(3) Every reasonable effort shall be made to measure at one meter location all gas quantities necessary for billing the customer.

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(4) All gas customers of the same type, pressure, and/or volume classification shall have their gas metered with instruments having like characteristics and at the same pressure base, except that the commission may approve the use of instruments of different types if their use does not result in unreasonable discrimination.

(5) Any regulators or equipment used to provide service in accordance with commission or filed utility rules and rates shall be commercially acceptable devices owned and maintained by the utility.

(6) A temperature-compensating meter shall be used whenever a gas meter is subject to the elements of the weather or wide variations in temperature. All present non-compensating installations subject to the elements of the weather and wide variations in temperature shall be changed so that 100% compliance will be attained by the end of the first complete testing cycle as provided in Wis. Adm. Code section PSC 134.30 (1).

**History:** 1-2-56; r. and recr. Register, February, 1959, No. 38, eff. 3-1-59; cr. (6), Register, January, 1965, No. 109, eff. 2-1-65.

**PSC 134.12 Meter readings and billing periods.** Reading of all meters used for determining charges to customers shall be scheduled monthly, bimonthly, quarterly, or semi-annually. An effort shall be made to read meters on corresponding days of each meter-reading period. The meter-reading date may be advanced or postponed not more than 5 days without adjustment of the billing for the period. Bills for service shall be rendered within 40 days from the reading of the meter except as may be otherwise specifically authorized by the commission. The utility may permit the customer to supply the meter readings on a form supplied by the utility, provided a utility representative reads the meter at least once each 6 months and when there is a change of customer.

**History:** 1-2-56; r. and recr. Register, February, 1959, No. 38, eff. 3-1-59.

**PSC 134.13 Billing** (1) (a) Each bill, including the customer's receipt, shall show the present and last preceding meter readings, the date of the present reading, the number of units consumed, the class of service if other than residential, and the rate schedule under which the bill is computed. In lieu of including the rate schedule on the bill the utility may, whenever a rate change becomes effective and at least twice a year, supply each customer with the schedule of rates at which the bills are computed and any other rates that might be applicable. Bills rendered at rates requiring the measurement of a number of different factors shall show all data necessary for the customer to check the computation of the bill. Minimum and estimated bills shall be distinctly marked as such.

(b) If the utility is authorized to make late payment charges, such charges shall comply with the following requirements.

1. The bill shall clearly indicate the amount of the late payment charge and the date after which the late payment charge shall be applied.

2. Late payment charges shall be applied no sooner than 20 days after the date of issuance of the bill.

3. The amount of the late payment charge shall be 3% of the bill, except a minimum charge of 30¢ shall apply.

4. Late payment charges shall be applied to all customer classes and rate classifications.

5. The utility shall not waive any properly applied late payment charges.

6. A late payment charge shall be applied only once to any given amount outstanding.

**Note:** The public service commission in its order adopting the revision to PSC 134.13 (1) states that "all public utilities operating in Wisconsin shall be in compliance with all of the rules adopted herein not later than 180 days after said rules become effective [9-1-76]."

(2) (a) If the billing period is longer or shorter than allowed in Wis. Adm. Code section PSC 134.12, the bill shall be prorated on a daily basis unless other provision is made in the utility's filed rules.

(b) If the utility reads the meters at the end of each billing period, the utility may, or if requested by the customer, shall leave meter reading forms when access to meters cannot be gained. If no form is left or the form is not returned in time for the billing operation, a minimum or estimated bill may be rendered. In cases of emergency, the utility may render minimum or estimated (average) bills without reading meters or supplying meter-reading forms to customers. Only in unusual cases or when approval is obtained from the customer shall more than 3 consecutive estimated bills be rendered.

(c) If the utility schedules the reading of meters less frequently than once each billing period, the utility unless otherwise requested by the customer, shall supply meter-reading forms for the periods when the meter is not scheduled to be read. If the customer fails to return the meter-reading form or has informed the utility he does not wish to supply a reading, a minimum or estimated bill may be rendered.

(d) If an estimated bill appears to be abnormal when a subsequent reading is obtained, the bill for the entire period shall be computed at a rate which contemplates the use of service during the entire period and the estimated bill shall be deducted. If there is reasonable evidence that the use occurred during only one billing period, the bill shall be so computed.

(3) (a) Credits due a customer because of meter inaccuracies, errors in billing, or misapplication of rates shall be shown separately and identified.

(b) The original billing rendered because of meter inaccuracy, or errors in billing, shall be separated from the regular bill and the charges explained in detail. Subsequent to the first billing the amount can be shown as a separate item on the regular bill.

(4) At the end of each billing period the utility shall read all prepayment meters, calculate the customer's bill at the regular net rates applicable, report the amount of money in the meter, and bill, refund, or credit the account with the difference between the bill at the regular rates and the amount collected, provided the same customer has received service during the entire billing period. Credits shall be liquidated at least once a year and upon termination of service.

(5) Each bill for service shall be computed at the proper filed rate and the rate used shall be the cheapest applicable rate based on 12 months' use of service. If the customer's use is such that it is difficult to be certain what rate should be applied until there has been 12 months' use, the billing shall be adjusted on the 12th bill.

(a) This subsection does not prohibit contracts having terms longer than 1 year but does require that the rates in such contracts be the cheapest applicable rates on file with the commission.

(b) Where a customer is eligible to take service under any one or more of 2 or more rates, the company shall advise the customer in the selection of the rate or rates which will result in the lowest cost of service, based on 12 months' service and on the information at hand.

(c) The selection of a rate or rates shall be reviewed every 12 months, whenever there is a change in rates, and whenever a request to do so is received from the customer.

(d) Section PSC 134.13 (5) (a) (b) and (c) applies to service as it is being supplied. If the customer could reduce his bills by installing equipment, combining or separating services, he should be notified, but no change in rates shall be made until the customer makes the necessary changes. The utility is not required to advise the customer concerning the efficiency of his utilization equipment or process.

(6) A utility may base its rates on either a volumetric basis or a "therm" basis but permission must be obtained from this commission to change any rate from one method to another. The unit of service on a volumetric basis shall be the cubic foot. If the volume billed is at a different pressure and/or temperature base than the registered volume, the rate shall specify the billing pressure and temperature. The "therm" billing unit shall be 100,000 British thermal units of total dry heating value. Where therm billing is used, the heating value shall be the average for the billing period or a filed lesser amount. Adjustment of volumes or therms billed shall not be made because of the delivery of standby or peak shaving gas without commission approval.

**History:** 1-2-56; r. and recr. Register, February, 1959, No. 38, eff. 3-1-59; am. (6), Register, January, 1965, No. 109, eff. 2-1-65; r. and recr. (1), Register, August, 1976, No. 248, eff. 9-1-76.

**PSC 134.14 Adjustment of bills.** (1) Whenever a meter is found to have an error of more than 3% fast as determined in the manner specified in Wis. Adm. Code section PSC 134.28 under any load condition, a recalculation of bills for service shall be made for the period of inaccuracy assuming an inaccuracy equal to the maximum fast percentage. The recalculation shall be made on the basis that the service meter should be 100% accurate.

(2) If the period of inaccuracy cannot be determined, it shall be assumed that the full amount of inaccuracy existed during the last half of the period since the previous test was made on the meter; however, the period of accuracy shall not exceed one-half the required test period.

(3) If the average gas bill of a customer does not exceed \$10 per month over the refund period the monthly consumption of which the refund is calculated may be averaged.



(4) If the recalculated bills indicate that more than \$1 is due an existing customer or \$2 is due a person no longer a customer of the utility, the full amount of the calculated difference between the

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amount paid and the recalculated amount shall be refunded to the customer. The refund to an existing customer may be in cash or as credit on a bill. If a refund is due a person no longer a customer of the utility, a notice shall be mailed to the last known address, and the utility shall upon request made within 3 months thereafter refund the amount due.

(5) Whenever a meter is found to be more than 3% slow on any test load, the utility may bill the customer for the amount the test indicates has been undercharged for the period of inaccuracy which period shall not exceed the last 6 months the meter was in service unless otherwise ordered by the commission after investigation. No back billing will be sanctioned if the customer has called to the company's attention his doubts as to the meter's accuracy and the company has failed within a reasonable time to check it.

(6) A classified record shall be kept of the number and amount of refunds and charges made because of inaccurate meters, misapplication of rates, and erroneous billing. A summary of the record for the previous calendar year shall be submitted to the commission by April 1 of each year.

**History:** 1-2-56; r. and recr. Register, February, 1959, No. 38, eff. 3-1-59.

**PSC 134.15 Employees authorized to enter customers' premises.** The utility shall keep a record of employees authorized pursuant to section 196.171, Wis. Stats., to enter customers' premises.

**History:** Cr. Register, February, 1959, No. 38, eff. 3-1-59.

**PSC 134.16 Maps and diagrams.** Each utility shall have maps, records, diagrams, and drawings showing the location of its property, in sufficient detail so that the adequacy of service to existing customers may be checked and facilities located.

**History:** Cr. Register, February, 1959, No. 38, eff. 3-1-59.

**PSC 134.17 Complaints.** Each utility shall investigate and keep a record of complaints received by it from its customers in regard to safety, service, or rates, and the operation of its system. The record shall show the name and address of the complainant, the date and nature of the complaint, and its disposition and the date thereof. A summary of this record for the previous calendar year shall be sent to the commission by April 1 of each year.

**History:** Cr. Register, February, 1959, No. 38, eff. 3-1-59.

**PSC 134.18 Record of interruption of service.** (1) Each utility shall keep a record of all interruptions to service affecting an entire distribution system of any urban area or an important division of a community. The record shall show the date and time of interruption, the cause, the approximate number of customers affected, and the date and time of restoring service.

(2) Each utility shall keep a record of all failures and notifications of difficulty with transmitted gas supply affecting each gate station. The record shall show the date and time of failure or notification, the date and time of resumption of normal supply, the operation of standby equipment including amount of gas produced, the number of

customers whose service was interrupted and the maximum and minimum gas supply pressure during the period of difficulty.

(3) A summary of records required by subsections (1) and (2) shall be sent to the public service commission by April 1 of each year.

(4) Each interruption of service which affects more than 100 customers shall be reported by mail, telephone, or telegraph to the commission within 48 hours following the discovery of the interruption.

(5) Any interruption of a principal gas supply shall be immediately reported to the commission by telephone or telegraph by the utility or utilities affected.

**History:** Cr. Register, February, 1959, No. 38, eff. 3-1-59.

**PSC 134.19 Meter records and reports.** (1) Whenever a gas meter is tested, such record shall be kept until that meter is tested again. This record shall indicate the information that is necessary for identifying the meter, the reason for making the test, the reading of the meter before it was removed from service, the accuracy of measurement, and all the data that were taken at the time of the test. This record must be sufficiently complete to permit convenient checking of the methods and calculations that have been employed.

(2) Another record shall be kept which indicates when the meter was purchased, its size, its identification, its various places of installation, with dates of installation and removal, the dates and results of all tests, and the dates and details of all repairs. The record shall be arranged in such a way that the record for any meter can be readily located.

(3) All utilities shall keep an "as found" high and light load test summary of all meters tested after being in service. This summary shall be made on a calendar year basis and forwarded to this commission by April 1 of the following year. This summary shall be divided according to the length of time since the last test, and meters found within each of the following per cent accuracy classifications:

Over 115; 110.1-115; 105.1-110; 103.1-105; 102.1-103; 101.1-102; 100.1-101; 100; 99-99.9; 98-98.9; 97-97.9; 95-96.9; 90-94.9; 85-89.9; under 85; passing gas does not register; does not pass gas; not tested; grand total average % error of fast meters; average % error of slow meters; total average error; number tested, number in service.

**History:** Cr. Register, February, 1959, No. 38, eff. 3-1-59.

**PSC 134.20 Preservation of records.** The following records shall be preserved and kept available for inspection by the commission for the periods indicated. The list is not to be taken as comprehending all types of utility records.

Description of Record	Period to be Retained
(1) Maps showing the location and physical characteristics of existing plants -----	Currently
(2) Engineering records in connection with construction projects -----	Permanently
(3) Supply records:	
Station and system supply records ----	Permanently
All other records taken in the plant ---	6 years