

Chapter PSC 115

RADIOLOGICAL EMERGENCY PREPAREDNESS EXPENSES

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Note: This chapter was created by emergency rule effective June 1, 1981.

PSC 115.01 Purpose and authority. The purpose of this chapter is to prescribe procedures enabling electric utilities owning, operating or dependent upon nuclear generating facilities to contribute to the financial support of offsite radiological emergency preparedness activities of state and local governments.

History: Cr. Register, October, 1981, No. 310, eff. 11-1-81.

PSC 115.02 Applicability. (1) This chapter shall apply to the following electric utilities:

- (a) Wisconsin electric power company
- (b) Wisconsin public service corporation
- (c) Wisconsin power and light company
- (d) Northern states power company of Wisconsin
- (e) Madison gas & electric company

(2) These rules apply to expenses incurred by the utilities identified in sub. (1) subsequent to July 1, 1981, as a result of costs experienced by state and local governments in developing and implementing radiological emergency response plans.

History: Cr. Register, October 1981, No. 310, eff 11-1-81.

PSC 115.03 General criteria for authorizing expenditures for offsite radiological emergency preparedness. (1) The commission shall authorize expenses incurred by the utilities identified in s. PSC 115.02 (1) for the purposes set forth in s. PSC 115.01 to the extent that such expenses:

(a) are incurred by state agencies to establish and maintain radiological emergency preparedness plans and do not exceed \$350,000 in the aggregate for the year beginning July 1, 1981, and \$250,000 in the aggregate for subsequent years.

(b) 1. are incurred by local governmental authorities to establish and maintain radiological emergency preparedness plans and do not exceed \$350,000 in the aggregate for the year beginning July 1, 1981, and \$250,000 in the aggregate for subsequent years.

2. Such costs shall be mutually agreed upon by the local government and the utility owning, operating or dependent upon a nuclear generating facility the Emergency Planning Zone of which is located wholly or partially within the boundaries of the local government.

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(2) Authorized expenses shall be limited to incremental costs to state and local governments of radiological emergency response plan components designed to substantially comply with the minimum standards of the nuclear regulatory commission required for continued nuclear power plant operation or the licensing of a new nuclear power facility.

(3) The expenses authorized by sub. (1) (a) shall be allocated among the utilities identified in s. PSC 115.02 on a basis to be determined by the electric utilities involved. If the utilities cannot agree on allocation, they may submit the matter to the chairman of the commission for an apportionment of costs.

History: Cr. Register, October, 1981, No. 310, eff. 11-1-81.

PSC 115.04 Appeals. (1) If any utility identified in s. PSC 115.02 or group of such utilities participating in the state radiological preparedness program complains to the public service commission that state or local government costs are unreasonable, the commission shall investigate the complaint. If there appears to be sufficient basis for complaint, the commission shall set the matter for public hearing upon 10 days' notice to the complainant and the appropriate governmental agencies. After the hearing, if the commission determines that the costs complained of are unreasonable, the commission shall by order determine costs which may reasonably be included as necessary utility expenses for ratemaking purposes.

(2) Complaints to the commission may be based on objections to the total program budget as proposed by the department of administration or to specific expenses incurred as a result of program operation.

History: Cr. Register, October, 1981, No. 310, eff. 11-1-81.