LRB-0301/1 MDK:wlj:pg

2001 ASSEMBLY BILL 159

March 1, 2001 – Introduced by Representatives Black, Powers, Shilling, Musser, Carpenter, Bock, Ryba, Berceau, Huber, La Fave, Young, Turner, Miller, J. Lehman and Cullen, cosponsored by Senators Baumgart, Robson and Erpenbach. Referred to Joint committee on Information Policy and Technology.

AN ACT to repeal 196.80 (1g); and to amend 196.795 (1) (h) 2. of the statutes;

relating to: requiring public service commission approval of mergers,

consolidations, and certain other transactions involving telecommunications

utilities.

Analysis by the Legislative Reference Bureau

Under current law, the following transactions involving public utilities, except for telecommunications utilities, require the prior written approval of the public service commission (PSC): mergers, consolidations, stock acquisitions or sales, acquisitions, leases, or rentals of certain types of plant or property. PSC approval is not required if the transaction involves a telecommunications utility. Under this bill, transactions involving telecommunications utilities require the same prior PSC approval that is required for transactions involving other public utilities under current law.

Also under current law, a person may not acquire more than 10% of the outstanding voting securities of certain public utility holding companies unless the PSC has determined that the acquisition is in the best interests of utility consumers, investors, and the public. This prohibition does not apply to public utility holding companies that hold telecommunications utilities and no other public utilities. This bill repeals this exception to the prohibition.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 196.795 (1) (h) 2. of the statutes is amended to read:

196.795 (1) (h) 2. "Holding company", except for purposes of s. 196.795 (3) and (11) (b), does not mean any company which that owns, operates, manages, or controls a telecommunications utility, unless such company also owns, operates, manages, or controls a public utility which that is not a telecommunications utility.

SECTION 2. 196.80 (1g) of the statutes is repealed.

SECTION 3. Initial applicability.

(1) This act first applies to mergers, consolidations, takings, holdings, acquisitions, sales, leases, or rentals that have not been approved by the federal communications commission on the effective date of this subsection.

11 (END)