



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1659/3
MDK:kmg:jf

NDW

SENATE AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133

P-34

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 24, line 9: after that line insert:

3 "SECTION 28m. 15.107 (17) of the statutes is created to read:

4 15.107 (17) COUNCIL ON UTILITY PUBLIC BENEFITS. There is created a council on
5 utility public benefits that is attached to the department of administration under s.
6 15.03. The council shall consist of the following members appointed for 3-year
7 terms:

8 (a) Two members appointed by the governor.

9 (b) Two members appointed by the senate majority leader.

10 (c) One member appointed by the senate minority leader.

11 (d) Two members appointed by the speaker of the assembly.

12 (e) One member appointed by the assembly minority leader.

1 sources or amounts of energy supplied to the electric provider shall forfeit not less
2 than \$5,000 nor more than \$500,000. Forfeitures under this subsection shall be
3 enforced by action on behalf of the state by the attorney general. A court imposing
4 a forfeiture under this subsection shall consider all of the following in determining
5 the amount of the forfeiture:

6 (a) The appropriateness of the forfeiture to the person's or wholesale supplier's
7 volume of business.

8 (b) The gravity of the violation.

9 (c) Whether a violation of sub. (2) is due to circumstances beyond the violator's
10 control.”.

11 **16.** Page 1186, line 2: after that line insert:

12 “**SECTION 2335ta.** 196.485 (title) of the statutes is repealed and recreated to
13 read:

14 **196.485 (title) Transmission system requirements.**

15 **SECTION 2335tb.** 196.485 (1) (am) of the statutes is created to read:

16 196.485 (1) (am) “Contribute a transmission facility” means to divest a person's
17 interest in the transmission facility and to transfer ownership of the transmission
18 facility, and associated deferred tax reserves to the extent permitted by law, to
19 another person.

20 **SECTION 2335tc.** 196.485 (1) (be) of the statutes is created to read:

21 196.485 (1) (be) “Director” means, with respect to a transmission company
22 organized as a corporation under ch. 180, a member of the board of directors of the
23 transmission company.

24 **SECTION 2335td.** 196.485 (1) (bs) of the statutes is created to read:

transmission,

1 196.485 (1) (bs) "Electric utility" means any of the following:

2 1. A public utility that is involved in the generation, distribution or sale of
3 electric energy.

4 2. A retail or wholesale electric cooperative.

5 **SECTION 2335te.** 196.485 (1) (dm) (intro.) of the statutes is amended to read:

6 196.485 (1) (dm) (intro.) "Independent transmission owner" means:

7 1m. Means a person that satisfies each of the following:

8 **SECTION 2335tf.** 196.485 (1) (dm) 1. of the statutes is renumbered 196.485 (1)
9 (dm) 1m. a.

10 **SECTION 2335tg.** 196.485 (1) (dm) 2. of the statutes is created to read:

11 196.485 (1) (dm) 2. Does not include the transmission company.

12 **SECTION 2335th.** 196.485 (1) (dm) 3. of the statutes is renumbered 196.485 (1)
13 (dm) 1m. b. and amended to read:

14 196.485 (1) (dm) 1m. b. The person is not an affiliated interest of a person
15 specified in subd. 1. 1m. a.

16 **SECTION 2335ti.** 196.485 (1) (do) of the statutes is created to read:

17 196.485 (1) (do) "Land right" means any right in real property, including fee
18 simple ownership or a right-of-way or easement, that has been acquired for a
19 transmission facility that is located or intended to be located on the real property.

20 **SECTION 2335tk.** 196.485 (1) (dq) of the statutes is created to read:

21 196.485 (1) (dq) "Manager" means, with respect to a transmission company
22 organized as a limited liability company under ch. 183, the representatives of the
23 security holders that are elected or appointed under sub. (3m) (c).

24 **SECTION 2335tL.** 196.485 (1) (dr) of the statutes is created to read:

1 (b) The public service commission shall submit in proposed form the rules
2 required under sections 196.025 (2) and (3) and 196.378 (3) (a) of the statutes, as
3 created by this act, to the legislative council staff under section 227.15 (1) of the
4 statutes no later than the first day of the 6th month beginning after the effective date
5 of this paragraph.”.

6 **21.** Page 1595, line 17: after that line insert:

7 “(1zt) HIGH-VOLTAGE TRANSMISSION LINES. The treatment of section 196.491 (3)
8 (d) 3r. and 3t. of the statutes first applies to applications for certificates of public
9 convenience and necessity that are filed with the public service commission on the
10 effective date of this subsection.”.

11 **22.** Page 1596, line 3: after that line insert:

12 “(1zt) TRANSMISSION COMPANY LICENSE FEE. The treatment of sections 76.28 (1)
13 (d), (e) (intro.) and 5. and (j) and (2) (c) (intro.), (d) and (e) and 196.485 (1) (ge) of the
14 statutes first applies to taxable years beginning on January 1 of the year in which
15 this subsection takes effect, except that if this subsection takes effect after July 31
16 the treatment of sections 76.28 (1) (d), (e) (intro.) and 5. and (j) and (2) (c) (intro.), (d)
17 and (e) of the statutes first applies to taxable years beginning on January 1 of the
18 year following the year in which this subsection takes effect.”.

19 (END)