

2013 DRAFTING REQUEST

Bill

Received: 1/16/2013 Received By: mkunkel
Wanted: As time permits Same as LRB: -1825
For: Mark Honadel (608) 266-0610 By/Representing: Jason Vick
May Contact: Drafter: mkunkel
Subject: Public Util. - misc. Addl. Drafters:
Extra Copies: EVM

Submit via email: YES
Requester's email: Rep.Honadel@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Customer information of municipal utilities

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 2/13/2013			_____			
/1	mkunkel 3/4/2013	kfollett 2/15/2013	rschluet 2/15/2013	_____	mbarman 2/15/2013		
/2		kfollett 3/4/2013	jfrantze 3/4/2013	_____	lparisi 3/4/2013	lparisi 3/19/2013	

FE Sent For:

none

<END>

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/?	mkunkel 2/13/2013			_____			
/1		kfollett 2/15/2013	rschluet 2/15/2013	_____	mbarman 2/15/2013		

FE Sent For:

12/5/13
3/4

3/4

3/4

<END>

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/?	mkunkel	1/15/13	2/15/13				
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Handwritten notes: 1/15/13, 2/15/13, and a circled '6' with a checkmark.

FE Sent For:

<END>

Kunkel, Mark

From: Vick, Jason
Sent: Wednesday, January 16, 2013 11:18 AM
To: Kunkel, Mark
Subject: Draft request

Mark,

Rep. Honadel would like the attached language drafted please:



20130116104904...

Thanks,

Jason Vick

Office of Rep. Mark Honadel
21st Assembly District
608-266-0611

Proposed privacy language:

[New Section 196.145] Customer Information.

- (1) "Customer information" means information received by a municipal utility from a customer which serves to identify such customer by name, address, usage information or account status.
- (2) "Municipal Utility" has the meaning given in s. 196.377(2)(a)3.
- (3) Customer information shall not be released by a municipal utility to any source without the customer's consent. This prohibition shall not apply to the release of such information by a municipal utility to:
 - a. Agents, vendors, partners, or affiliates of the municipal utility engaged to perform any services for or functions on behalf of the municipal utility;
 - b. The transmission and distribution utilities and operators within whose geographic service territory the customer is located;
 - c. The commission or any person or entity authorized by commission rule or order to receive customer information; or
 - d. Any person or entity as otherwise required by law.
- (4) Customer information shall not constitute a record subject to inspection or disclosure under s. 19.35.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1498/1

MDK...

By Monday
2-18

O-NOTE

2013 BILL

IN 2-13

Gen

1 AN ACT ...; relating to: municipal utility customer information.

Analysis by the Legislative Reference Bureau

This bill imposes restrictions on a municipal utility's release of "customer information," which the bill defines as the name, address, usage information, and account status of a municipal utility customer, as well as any other information identifying a municipal utility customer. The bill prohibits a municipal utility from releasing customer information without the customer's consent. However, the prohibition does not apply to releases of customer information to certain persons who perform services or functions for municipal utilities or to certain transmission and distribution utilities. The prohibition also does not apply to releases to the Public Service Commission (PSC) or persons whom the PSC authorizes by order or rule to receive the customer information. In addition, the prohibition does not apply to releases to any person who is otherwise authorized by law to receive the customer information. The bill also provides that customer information is not subject to disclosure under the state's open records law.

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

SECTION #. 196.137; CF

2 196.137 Municipal utility customer information. (1) DEFINITIONS. In this

3 section:

BILL

1 (a) "Customer information" means the name, address, usage information, and
2 account status of a customer of a municipal utility and any other information that
3 identifies a customer as the customer of a municipal utility.

4 (b) "Municipal utility" has the meaning given in s. 196.377 (2) (a) 3.

5 (2) PROHIBITION. A municipal utility may not release customer information to
6 any person except with the consent of the customer, and except to any of the
7 following:

8 (a) Agents, vendors, partners, or affiliates of the municipal utility that are
9 engaged to perform any services or functions for or on behalf of the municipal utility.

10 (b) Transmission and distribution utilities that provide service in the
11 customer's service territory.

12 (c) The commission or any person whom the commission authorizes by order
13 or rule to receive the customer information.

14 (d) Any person who is otherwise authorized by law to receive the customer
15 information.

16 (3) PUBLIC RECORD EXCEPTION. Customer information is not subject to inspection
17 or copying under s. 19.35.

18 (END)

D-Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1498/1dn

MDK:...

gf

Date

Rep. Honadel:

Please review this bill to make sure it achieves your intent. In particular, note that I made some changes to the language that you provided. Please let me know if you have any questions or redraft instructions.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1498/1dn
MDK:kjf:rs

February 15, 2013

Rep. Honadel:

Please review this bill to make sure it achieves your intent. In particular, note that I made some changes to the language that you provided. Please let me know if you have any questions or redraft instructions.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

Kunkel, Mark

From: Vick, Jason
Sent: Thursday, February 28, 2013 5:30 PM
To: Kunkel, Mark
Subject: Draft changes request to LRB -1498/1 Topic: Customer information of municipal utilities

Mark,

Please make the following changes to LRB 1498/1:

- 1) Change definition of "Customer Information" to read: Any information received from customers which serves to identify them individually by usage or account status.

- 2) Change subsection (2)b. to read: The transmission and distribution utilities and operators within whose geographic service territory the customer is located;

Thanks,

Jason Vick

Office of Rep. Mark Honadel
21st Assembly District
608-266-0611



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1498/10
MDK:kjf:rs

PB

O-NOTE

2013 BILL

RM
has been
passed

SOON

IN 3-4

Regen

1 AN ACT to create 196.137 of the statutes; relating to: municipal utility customer
2 information.

INSERT 1A

Analysis by the Legislative Reference Bureau

This bill imposes restrictions on a municipal utility's release of "customer information," which the bill defines as the ~~name, address, usage information, and account status of a municipal utility customer, as well as any other information identifying a municipal utility customer.~~ The bill prohibits a municipal utility from releasing customer information without the customer's consent. However, the prohibition does not apply to releases of customer information to certain persons who perform services or functions for municipal utilities or to certain transmission and distribution utilities. The prohibition also does not apply to releases to the Public Service Commission (PSC) or persons whom the PSC authorizes by order or rule to receive the customer information. In addition, the prohibition does not apply to releases to any person who is otherwise authorized by law to receive the customer information. The bill also provides that customer information is not subject to disclosure under the state's open records law.

and operators

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

3 SECTION 1. 196.137 of the statutes is created to read:

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1498/2ins
MDK:.....

1

INSERT 1A:

any information received from customers which serves to identify customers individually by usage or account status.

2

INSERT 2-5:

3

any information received from customers which serves to identify customers

4

individually by usage or account status.

5

INSERT 2-13:

6

and operators within whose geographic service territory the customer is located.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1498/2dn

MDK: *gf*

Date

Rep. Honadel:

This version makes the changes you requested. Note that it refers to transmission and distribution operators, which is a term that is not otherwise used in ch. 196, stats.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1498/2dn
MDK:kjf:jf

March 4, 2013

Rep. Honadel:

This version makes the changes you requested. Note that it refers to transmission and distribution operators, which is a term that is not otherwise used in ch. 196, stats.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

Parisi, Lori

From: Vick, Jason
Sent: Tuesday, March 19, 2013 3:49 PM
To: LRB.Legal
Subject: Draft Review: LRB -1498/2 Topic: Customer information of municipal utilities

Please Jacket LRB -1498/2 for the ASSEMBLY.