

*Filed June 4-1957  
4: 15 P.M.*

*PSC 50*

BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN

In the Matter of Rules and )  
Regulations in the Use of ) MC-326  
the Highways )

Supplemental Order Amending Rule  
issued June 4, 1957

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I, Edward T. Kaveny, Secretary of the Public Service Commission of Wisconsin, do hereby certify that I have compared the annexed copy of the decision with the original decision of the Public Service Commission of Wisconsin in the above-entitled matter, now on file in the office of said Commission, and that the same is a true copy of such original decision and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Commission at its office in the City of Madison, this 4th day of June, A.D. 1957

*Edward T. Kaveny*

Secretary

PUBLIC SERVICE COMMISSION OF WISCONSIN

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In the Matter of Rules and  
Regulations in the Use of  
the Highways

)  
) MC-326  
)

SUPPLEMENTAL ORDER AMENDING RULE

By notice dated April 18, 1957 and due publication in the Wisconsin Administrative Register in April, 1957, Chapter PSC 50, Wisconsin Administrative Code, was reopened upon petition by the Wisconsin Motor Carriers Association to consider modifications of Sections 50.02 and 50.03 of said chapter.

Pursuant to due notice hearing was held on May 13, 1957 at Madison before Examiner Calmer Browy.

Appearances:

Petitioner:

Wisconsin Motor Carriers Association by  
Glenn W. Stephens, attorney  
Madison

Interveners:

Wisconsin Farm Truckers Association by  
J. P. Williams, president  
Milwaukee

Frank Kennedy, LC-1564  
Kingston

Hanefeld Brothers, LC-29701, by  
Howard Hanefeld  
Burnett

National Truck Drivers Association by  
L. W. Foster, manager  
Mauston

Appearances: (Continued)

Interveners: (Continued)

Dodge County Police by

Victor Gehrke, chief  
Juneau

Hilbert Korth, sergeant  
Juneau

Winnebago County Police by

Marvin Peppler, traffic officer, sheriff's  
Oshkosh department

Highway Commission of Wisconsin by

Wayne N. Volk, engineer of traffic services  
Madison

Motor Vehicle Department of Wisconsin by

C. F. Holmquist, sergeant, enforcement di-  
Fond du Lac vision

G. K. Woodworth, civilian employee of Wis.  
Fond du Lac Motor Vehicle Department

Of the Commission Staff:

J. H. Justesen, supervisor  
R. W. Connor, investigator, motor carrier sec-  
tion

#### Opinion and Finding of Fact

By order dated March 21, 1957 the Commission amended its previous order dated April 6, 1954, by, among other things, adding Section PSC 50.02(8a) which restricted the use of highway 41 between its junction with highway 45 east of Richfield and its junction with 175 south of Fond du Lac. By petition dated April 16, 1957 the Wisconsin Motor Carriers Association requested that Section PSC 50.02(3) be modified to read: "(3) Highway 16--Between Milwaukee and its intersection with highway 51 east of Portage," and that Section PSC 50.02(8a) be repealed.

At the hearing an alternate proposal to the repeal of Section 50.02(8a) was made to the effect that presently restricted highway 175 be opened, by repealing Section 50.02(13), and that Section 50.02(8a) be continued in effect. New construction in the vicinity of Wisconsin Dells on highways 16 and 13 leading to highway 82 has created a by-pass route at the Dells. This route, in contrast to the alternative route via 51 and 82, is substantially superior in construction and in all aspects of safety. This new highway was constructed with a view to moving traffic freely, and the elimination of congested areas and bottle-necks created by the heavy weekend tourist traffic.

While highway 41 is unduly congested, the continued restriction of highway 175 will cause substantial congestion where highways 45, 175, and 41 converge at Fond du Lac.

There is likewise proposed construction on highway 55 north of Fond du Lac which will obviously force traffic to move via the west shore of Lake Winnebago, creating a serious problem in the vicinity of Fond du Lac.

In the event that the restriction on highway 16 is lifted between Portage and the Dells, there will be no necessity for continuing the qualification in Section PSC 50.02(1) which states: "\* \* \* and except that on Saturdays only northbound traffic shall be allowed from its junction with 33 at Lyons to Mauston." This exception was originally established to enable northbound drivers domiciled at Mauston to get home Saturday afternoons. This exception will accordingly be canceled.

The Commission is of the opinion that the lifting of the restriction on highway 175 and on highway 16 between Portage and Wisconsin Dells will alleviate traffic congestion in these areas and permit a greater dispersement of the heavy truck traffic. Such revisions will be adopted.

Conclusion of Law

THE COMMISSION CONCLUDES:

That it has authority under Chapter 194, Wisconsin Statutes, and particularly under Sections 194.02, 194.18, 194.36, and 194.43, to amend its rule PSC 50.02, Wisconsin Administrative Code, as set forth in the order herein pursuant to the foregoing opinion and findings of fact.

Order

THE COMMISSION THEREFORE ORDERS:

1. That Section PSC 50.02, Wisconsin Administrative Code, be and is hereby amended and adopted in the following respects:

a. That Section <sup>PSC</sup> 50.02(1) be amended to read:

(1) Highway 12 - Between Wisconsin-Illinois state line and Mauston except where it is coincidental with highway 15 north of Elkhorn, except where it is coincidental with highway 73 west of Cambridge, except from its intersection with highway 51 westerly to its junction with highway 14 at Middleton, and except where it is coincidental with highway 33 north of Baraboo.

b. That Section PSC 50.02(3) be amended to read:

"(3) HIGHWAY 16 - between Milwaukee and its intersection with highway 51 east of Portage."

c. That Section PSC 50.02(13) be repealed.

2. That certified copies of Section PSC 50.02, Wisconsin Administrative Code, as herein amended and adopted, be sent to the Secretary of State and Revisor of Statutes as required by Section 227.023, Statutes.

3. That, except as herein modified, Chapter PSC 50, Wisconsin Administrative Code, shall continue in full force and effect.

4. That this order shall become effective on the 1st day of July, 1957, pursuant to Section 227.026, Statutes.

Dated at Madison, Wisconsin, this 4th day of June, 1957.

By the Commission.

Edward T. Kaveny

Secretary



PUBLIC SERVICE COMMISSION OF WISCONSIN

STATE OFFICE BUILDING  
MADISON 2, WISCONSIN

GEORGE P. STEINMETZ,  
CHAIRMAN  
NICHOLAS J. LESSELYOUNG,  
COMMISSIONER  
ARTHUR L. PADRUTT,  
COMMISSIONER  
EDWARD T. KAVENY, SECRETARY

June 4, 1957

FILE NO. MC-326

Mr. James J. Burke  
Revisor of Statutes  
State Capitol  
Madison, Wisconsin

In the Matter of Rules and Regula-  
tions in the Use of Highways

Dear Sir:

Pursuant to Section 227.023, Wisconsin Statutes,  
we are enclosing a certified copy of the Order of June 4,  
1957 in the above-entitled matter amending and adopting  
rule PSC 50.02, Wisconsin Administrative Code.

Very truly yours,

*Edward T. Kaveny*

Secretary

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