

## Chapter PSC 170

### RADIO COMMON CARRIERS

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**PSC 170.01 Purpose.** The purpose of this chapter is to set forth requirements for consideration of petitions from radio common carriers requesting qualification as alternative telecommunications utilities.

**History:** Cr. Register, June, 1987, No. 378, eff. 7-1-87.

**PSC 170.02 Definitions. (1)** “Alternative telecommunications utility” means a utility as defined in s. 196.01 (1d), Stats.

**(2)** “Radio common carrier” means a telecommunications common carrier as defined in s. 196.01 (5m), Stats.

**Note:** 1997 Wis. Act 218 repealed s. 196.01 (5m), Stats.

**History:** Cr. Register, June, 1987, No. 378, eff. 7-1-87; **correction in (1) made under s. 13.93 (2m) (b) 7., Stats.**

**PSC 170.03 Petition: contents. (1)** A one-way or two-way radio common carrier seeking to qualify for status as an alternative telecommunications utility shall file a petition with the commission containing the following information:

- (a) The name and address of the radio common carrier, with the name, title and telephone number of a contact person;
- (b) The geographic market to be served;
- (c) A copy of the petitioner’s license received from the federal communications commission;
- (d) A description of any other telecommunications service offered directly or indirectly in addition to radio common carrier service.

**(2)** An original and 4 copies of the petition shall be filed with Secretary, Public Service Commission of Wisconsin, P.O. Box 7854, Madison, WI 53707.

**History:** Cr. Register, June, 1987, No. 378, eff. 7-1-87.

**PSC 170.04 Determination of status.** On receipt of a radio common carrier’s petition for qualification as an alternative telecommunications utility, the commission shall issue a notice of

investigation. No hearing may be held unless there is an assertion by any person, including commission staff, that a factual matter is in dispute. The commission shall issue a determination of status not less than 30 days, nor more than 60 days, after issuance of the notice of investigation, or after hearing, if one is held.

**History:** Cr. Register, June, 1987, No. 378, eff. 7-1-87.

**PSC 170.05 Notice of petitions. (1)** A person wishing to receive notice of investigation of a radio common carrier’s petition for qualification as an alternative telecommunications utility shall request to be placed on the commission’s standing notice list for radio common carriers.

**(2)** Requests shall be addressed to Records Management, Public Service Commission of Wisconsin, P.O. Box 7854, Madison, WI 53707.

**History:** Cr. Register, June, 1987, No. 378, eff. 7-1-87.

**PSC 170.06 Compliance with statutes. (1)** All radio common carriers shall comply with the following sections of ch. 196, Stats.: ss. 196.02, 196.203, 196.25, 196.39, 196.395, 196.40, 196.41, 196.43, 196.44, 196.65 and 196.66, Stats.

**(2)** A radio common carrier shall not be subject to ch. 201, Stats.

**History:** Cr. Register, June, 1987, No. 378, eff. 7-1-87; **correction in (2) made under s. 13.93 (2m) (b) 7., Stats.**

**PSC 170.07 Level of regulation. (1)** A radio common carrier which also offers telecommunications services as a reseller shall be subject to ch. PSC 168.

**(2)** When a public utility offers one-way or two-way radio common carrier service, or both, the commission shall establish the level of regulation for the radio common carrier service on a case-by-case basis.

**History:** Cr. Register, June, 1987, No. 378, eff. 7-1-87.