

## Chapter PSC 184

### CONSTRUCTION BY WATER PUBLIC UTILITIES AND BY MUNICIPAL WATER AND SEWER PUBLIC UTILITIES COMBINED UNDER S. 66.0819, STATS.

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**History:** Chapter PSC 184 as it appeared on October 31, 1974 was repealed and a new chapter PSC 184 was created effective November 1, 1974.

**PSC 184.01 Application of rules.** The rules in ch. PSC 184 shall apply to utility plant construction by every water public utility and, in addition, to water and sewer utility plant construction by every combined water and sewer public utility of any town, village, or city of the fourth class combined to form a single public utility pursuant to s. 66.0819, Stats. The rules do not apply to any other sewer operation.

**History:** Cr. Register, October, 1974, No. 226, eff. 11-1-74; correction made under s. 13.93 (2m) (b) 7., Stats., Register April 2007 No. 616.

**PSC 184.02 Definitions.** In this chapter:

(1) "Acquire" means the acquisition of a unit of plant and/or mains in place and ready for operation but does not include the purchase of materials or equipment for later installation.

(2) "Certificate" means a specific formal authorization granted by the commission pursuant to s. 196.49, Stats.

(3) "Utility" means a water public utility or a combined water and sewer public utility.

**History:** Cr. Register, October, 1974, No. 226, eff. 11-1-74; am. Register, September, 1992, No. 441, eff. 10-1-92.

**PSC 184.03 Water and sewer projects requiring specific commission authorization.** (1) Every water public utility or combined water and sewer public utility shall submit the information required by s. PSC 184.04, and shall receive commission authorization before constructing, acquiring, or operating any utility plant as:

(a) A new organization intending to operate as a public utility.

(b) A public utility intending to install any facilities outside its service area in an area that could also be served by another public utility.

(c) A public utility acquiring any existing plant.

(2) A public utility constructing any plant identified in pars. (a) through (c) shall submit the information required by s. PSC 184.04 with respect to plant improvement or other projects at least 60 days before commencement of construction:

(a) All additional wells and other sources of water supply.

(b) Pumping stations, purification or treatment facilities, water storage reservoir facilities, any utility buildings, or additions to or replacement of these facilities in excess of \$100,000 per project or 25% of existing investment shown in the corresponding plant account, whichever is smaller. Information need not be submitted for any project estimated to involve property additions of less than \$25,000.

(c) Sewer utility construction projects, including any additional sewage treatment and disposal plant, any utility buildings, or additions to or replacement of these facilities in excess of \$100,000 per project or 25% of existing investment shown in the corresponding plant account, whichever is smaller. Information need not be submitted for any project estimated to involve property additions of less than \$25,000.

**History:** Cr. Register, October, 1974, No. 226, eff. 11-1-74; r. and recr. Register, September, 1992, No. 441, eff. 10-1-92.

**PSC 184.04 Information to be submitted.** (1) CONTENTS OF APPLICATION. For projects requiring commission authorization under s. PSC 184.03, the application shall include:

(a) A description of the project, including a map showing proposed and existing facilities, and the location of floodplain areas.

(b) The purpose and necessity of the project, with supporting data.

(c) The effect of the project on quality and reliability of service.

(d) A brief description and analysis of the alternatives to the project.

(e) The cost of the project by major plant accounts.

(f) The proposed method of financing the project.

(g) The estimated annual operating costs of the project, by major expense accounts.

(h) A description of and the original cost of any property being replaced, by major plant accounts.

(i) A designation of public utilities and other persons materially affected by the project and a list of those which have been notified.

(2) GROUPING OF PROJECTS—12-MONTH PERIOD. Prior to construction, and in lieu of reporting on a separate project basis, a utility may submit on an annual basis a list of projects requiring approval under s. PSC 184.03 (2) on which the utility intends to begin construction within one year. The list shall include the information required by sub. (1).

**History:** Cr. Register, October, 1974, No. 226, eff. 11-1-74; r. and recr. Register, September, 1992, No. 441, eff. 10-1-92.

**PSC 184.05 Commission review of information submitted.** (1) Upon receipt of an application for a project identified in s. PSC 184.03 (2), the commission may:

(a) Acknowledge receipt and accept the information for filing, in which case the utility may proceed with the construction work, or

(b) Review the information and determine, pursuant to s. 196.49 (3), Stats., whether public convenience and necessity require the project.

(2) If no action is taken by the commission within 60 days after the information required by s. PSC 184.04 is submitted, the utility may proceed with the construction work. If additional information is requested by the commission, the 60-day waiting period before construction work may commence shall begin from the date the additional information is received by the commission.

**History:** Cr. Register, October, 1974, No. 226, eff. 11-1-74; renum. from s. PSC 184.07 and am., Register, September, 1992, No. 441, eff. 10-1-92.

**PSC 184.06 Emergency work.** The utility may, in case of emergency, begin urgently necessary work without complying with ss. PSC 184.04, and 184.05, but shall promptly notify the commission and shall, within 30 days from the commencement of such work, furnish the commission with the information required by s. PSC 184.04.

**History:** Cr. Register, October, 1974, No. 226, eff. 11-1-74; renum. from s. PSC 184.08 and am. Register, September, 1992, No. 441, eff. 10-1-92.