

State of Wisconsin



2017 Assembly Bill 774

Date of enactment: April 16, 2018
Date of publication*: April 17, 2018

2017 WISCONSIN ACT 312

AN ACT *to repeal* 200.55 (1) (g); *to amend* 200.59 (5) (a); and *to create* 200.37 (4) of the statutes; **relating to:** the charges, rules, and practices of the Milwaukee Metropolitan Sewerage District.

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

SECTION 1. 200.37 (4) of the statutes is created to read:

200.37 (4) DISCONNECTION. The commission may not disconnect any connection with or use of the sewerage system by a city, village, town, sanitary district, or metropolitan sewerage district that contracts with the commission for service under s. 200.39 (1) unless the disconnection is approved by the public service commission.

SECTION 2. 200.55 (1) (g) of the statutes is repealed.

SECTION 3. 200.59 (5) (a) of the statutes is amended to read:

200.59 (5) (a) Except as provided under s. 200.41 (2), upon complaint to the public service commission by any user that charges, rules and practices under this section are unreasonable or unjustly discriminatory, according to the standards and criteria which the commission is required to follow under state or federal law, including, without limitation because of enumeration, this section, [33 USC 1251](#) et seq. and ch. 283, or upon complaint of a holder of a revenue bond or other evidence of debt, secured by a mortgage on the sewerage system or any part thereof or pledge of the income of sewerage service charges, that charges are inadequate, the public service

commission shall investigate the complaint. If sufficient cause therefor appears, the public service commission shall set the matter for a public hearing upon 10 days' notice to the complainant and the commission. After the hearing, if the public service commission determines that the charges, rules or practices complained of are unreasonable or unjustly discriminatory, it shall determine and by order fix reasonable charges, rules and practices and shall make such other order respecting such complaint as may be just and reasonable. The proceedings under this subsection shall be governed, as far as applicable, by ss. 196.26 to 196.40. The commission may submit the factual data, reports and analyses considered by it in establishing the charges, rules or practices subject to a complaint under this subsection. The public service commission shall give due weight to such data, reports and analyses. The public service commission shall make the determination without deference to the commission. Judicial review of the determination of the public service commission may be had by any person aggrieved in the manner prescribed under ch. 227. If any user pays a charge and the public service commission or court, on appeal from the public service commission, finds such charge, after reviewing a complaint filed under this subsection, to be excessive, the district shall refund to the user the excess plus the interest thereon computed at the

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

rate then paid by the district for borrowing funds for a term of one year or less.
