

State of Wisconsin



1999 Senate Bill 481

Date of enactment: April 12, 2000
Date of publication*: April 25, 2000

1999 WISCONSIN ACT 75

AN ACT *to amend* 196.485 (3m) (a) 1. a., 196.485 (5) (a) 2., 196.485 (6) (a) (intro.) and 196.86 (1) (b); *to repeal and recreate* 285.48 (3) (c); and *to create* 196.86 (1) (f), 285.48 (1) (cm) and 285.48 (3) (d) 2m. of the statutes; **relating to:** transmission company duties; contributions of transmission facilities to the transmission company; nitrogen oxide emissions standards and limitations; air quality improvement program assessments; and making an appropriation.

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

SECTION 1. 196.485 (3m) (a) 1. a. of the statutes, as created by [1999 Wisconsin Act 9](#), is amended to read:

196.485 (3m) (a) 1. a. Apply for any approval under state or federal law that is necessary for the transmission company to begin operations no later than ~~November 1, 2000~~ January 1, 2001.

SECTION 2. 196.485 (5) (a) 2. of the statutes, as created by [1999 Wisconsin Act 9](#), is amended to read:

196.485 (5) (a) 2. Files with the commission an unconditional, irrevocable and binding commitment to contribute, no later than ~~September 30, 2000~~ January 1, 2001, all of the transmission facilities that the public utility affiliate owns or operates in this state on October 29, 1999, and land rights, to the transmission company. A filing under this subdivision shall specify a date no later than ~~September 30, 2000~~ January 1, 2001, on which the public utility affiliate will complete the contribution of transmission facilities.

SECTION 3. 196.485 (6) (a) (intro.) of the statutes, as created by [1999 Wisconsin Act 9](#), is amended to read:

196.485 (6) (a) (intro.) No later than ~~the first day of the 12th month beginning after the first public utility af-~~

~~iliate files a commitment under sub. (5) (a) 2.~~ January 1, 2001:

SECTION 4. 196.86 (1) (b) of the statutes, as created by [1999 Wisconsin Act 9](#), is amended to read:

196.86 (1) (b) "Electric public utility affiliate" means a public utility affiliate, as defined in s. 196.795 (1) (L), that sells electricity in this state and owns electric generating facilities in the transmission area.

SECTION 5. 196.86 (1) (f) of the statutes is created to read:

196.86 (1) (f) "Transmission area" has the meaning given in s. 196.485 (1) (g).

SECTION 6. 285.48 (1) (cm) of the statutes is created to read:

285.48 (1) (cm) "Nonutility stationary or mobile source" means a stationary or mobile source that is not an electric generating facility owned by a public utility or electric cooperative.

SECTION 7. 285.48 (3) (c) of the statutes, as created by [1999 Wisconsin Act 9](#), is repealed and recreated to read:

285.48 (3) (c) In establishing nitrogen oxide emission reduction requirements for the control of atmospheric ozone in another state pursuant to a call, the department may not, with respect to any nonutility stationary or

* Section 991.11, WISCONSIN STATUTES 1997-98: 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 as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

mobile source in this state, in a state implementation plan, by rule or through the adoption of control strategies, establish nitrogen oxide emissions standards or limitations that do any of the following:

1. Require any reductions in nitrogen oxide emissions for any boiler, turbine or internal combustion engine the designed heat input of which is 250 million British thermal units per hour or less.
2. Require reductions of nitrogen oxide emissions that are in addition to those reductions required by or projected for nonutility stationary or mobile sources based on source-specific nitrogen oxide inventory data or other subinventory information used by the federal environmental protection agency to establish state nitrogen oxide emission budgets concerning interstate pollution transport.
3. Require any additional reductions of nitrogen oxide emissions from nonutility stationary or mobile

sources in this state due to this section, including the reduction requirements under par. (a).

SECTION 8. 285.48 (3) (d) 2m. of the statutes is created to read:

285.48 (3) (d) 2m. Determine the amounts by which reduction requirements for any nonutility stationary or mobile source in this state shall be relaxed to reflect the lower reductions.

SECTION 9. Appropriation changes.

(1) INTERVENOR FINANCING. In the schedule under section 20.005 (3) of the statutes for the appropriation to the public service commission under section 20.155 (1) (j) of the statutes, as affected by the acts of 1999, the dollar amount is increased by \$250,000 for fiscal year 1999-00 and the dollar amount is increased by \$250,000 for fiscal year 2000-01 for the purpose for which the appropriation is made.