



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-2937/1

MDK:lmk:rs

2005 ASSEMBLY BILL 1224

May 4, 2006 – Introduced by Representative POCAN. Referred to Committee on Rules.

- 1 **AN ACT to amend** 196.795 (6) (d) of the statutes; **relating to:** notification
2 regarding foreign assets of public utility holding companies.

Analysis by the Legislative Reference Bureau

Current law imposes certain requirements on a public utility holding company (holding company), which is a company that owns or controls a public utility, other than a telecommunications utility. A holding company may also own or control a company that is not a public utility, which current law defines as a “nonutility affiliate.” Within 10 days after a holding company forms, organizes, or acquires a nonutility affiliate, and annually thereafter, the holding company must notify the Public Service Commission (PSC) about certain information, including the total amount of assets held by the nonutility affiliate as of the last day of the calendar year immediately preceding the notification.

This bill requires a holding company that makes the notifications described above to also notify the commission about the amount of assets held by the nonutility affiliate that are located outside the United States (foreign assets).

In addition, if a holding company formed, organized, or acquired a nonutility affiliate before the effective date of the bill, the holding company must, no later than the first day of the second month after the effective date of the bill, notify the commission about the amount of foreign assets held by the nonutility affiliate as of

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the last day of the calendar year preceding the effective date of the bill. Such a holding company must also annually notify the PSC about such information.

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

1 **SECTION 1.** 196.795 (6) (d) of the statutes is amended to read:

2 196.795 (6) (d) As of the last day of the calendar year immediately preceding
3 the date of the notification under this subsection, the total amount of assets held by
4 the nonutility affiliate, the amount of such assets located within this state, the
5 amount of such assets located outside the United States, the total number of
6 employees, and the total number of employees located in this state. The holding
7 company shall report the information required under this paragraph to the
8 commission annually no later than March 31. The information shall be available to
9 the public upon filing.

10 **SECTION 2. Nonstatutory provisions.**

11 (1) DEFINITIONS. In this section:

12 (a) “Commission” means the public service commission.

13 (b) “Holding company” has the meaning given in section 196.795 (1) (h) of the
14 statutes.

15 (c) “Nonutility affiliate” has the meaning given in section 196.795 (1) (j) of the
16 statutes.

17 (2) No later than the first day of the 2nd month beginning after the effective
18 date of this subsection, a holding company that, before the effective date of this
19 subsection, formed, organized, or acquired a nonutility affiliate shall notify the
20 commission of the total amount of assets held by the nonutility affiliate, as of the last

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1 day of the calendar year preceding the effective date of this subsection, that are
2 located outside the United States.

3 (END)