

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/25/2001

Received By: **kunkemd**

Wanted: As time permits

Identical to LRB:

For: **Assembly Republican Caucus**

By/Representing: **Raschka**

This file may be shown to any legislator: **NO**

Drafter: **nelsorp1**

May Contact:

Addl. Drafters:

Subject: **Public Util. - energy
Administrative Law**

Extra Copies: **RPN**

Submit via email: **NO**

Requester's email:

Pre Topic:

ARC:.....Raschka - AM 78, item 1,

Topic:

Omnibus energy motion: PSC rule review

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kunkemd 06/26/2001	hhagen 06/26/2001		_____			
	nelsorp1 06/26/2001	wjackson 06/26/2001		_____			
/1			rschlue	_____	lrb_docadmin		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

<END>

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1?	kunkemd 06/26/2001 nelsorp1	hhagen 06/26/2001 1/WLj 6/20	cut 6/20	_____	_____	_____	_____

FE Sent For:

<END>

Budget Amendments 2001 - 2003

~~611662~~

Prepared by the Assembly Republican Caucus

Statement of Intent Omnibus Energy Motion

Legislator Hoven

Amendment 78

Legislator 2

Pass or Fail Pass

Legislator 3

Spending Cut

Legislator 4

Withdrawn

Staff contact Mike

Package

Agency PSC

Summary 1) Create an energy and reliability assessment review by the Public Service Commission of proposed administrative rules that will impact the cost of energy to consumers and the ability for the state to meet its energy demands. This review authority will allow the Public Service Commission, if it deems appropriate, to attach an energy and reliability impact statement to any rule that could impact electric reliability in the state. *revise @ 1-2155/1*

Separate

MDK Separate

2) Under current law, when a party petitions the PSC for a certificate of public convenience and necessity (CPCN) for the construction of a large generating facility or high-voltage transmission line, the party must also file an engineering plan with the DNR so the Department can determine what air and water discharge permits are needed to protect air and water quality. This motion would specify that a party petitioning the Commission for a CPCN would only have to submit an engineering plan to the DNR for the construction of a large generating facility, as transmission lines do not affect air and water quality.

anything in 01-696511?

3. The motion would freeze spending on low-income public benefits programs at 1999-2000 funding levels, therefore capping the maximum consumer public benefits fee (charged through electric bills) at current levels. *July 1, 2001 - June 30, 2002*

4. Effective July 1, 2002 repeal the provision in current law that requires all utilities to collect \$20,000,000 annually in public benefits for energy conservation, energy efficiency, environmental research and development, and renewable programs. *continue*

- Low income

oil overhang?

Sentiment to Rosekrantz Separate

5. The motion would also give DOA authority to receive billing and use data for all the public school facilities in Wisconsin. This would allow DOA to perform accurate benchmarking and identify the highest energy cost schools and target their efforts to them. *14.065 20.505 (1) (m) 16.95? School district loan under s. 24.61(3)?*

764

6. The motion requires the DOA to provide a performance based contracting program for nonresidential energy conservation programs. DOA must select a program administrator with responsibility for this program only. Under performance based contracting, energy service providers identify energy savings opportunities and manage the financing and installation of energy efficient equipment. The customer then repays the cost of the improvements out of the money saved on their utility bill.

7. The motion would also require that 25% of funding collected for energy conservation and efficiency and renewable resource programs be allocated to the performance based contracting program each fiscal year.

Request # **221** → *WEI 2*

Budget Amendments 2001 - 2003

Prepared by the Assembly Republican Caucus

Fiscal Impact This motion saves \$20,000,000 (SEG).

Drafting Inst draft language written by the office

ARC Analyst Raschka

Request # 221

Friday, June 22, 2001

Page 22 of 28

2001

Date (time) needed soon

LRB b 126211

**ARC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**


RPN: WL

See form **AMENDMENTS — COMPONENTS & ITEMS.**

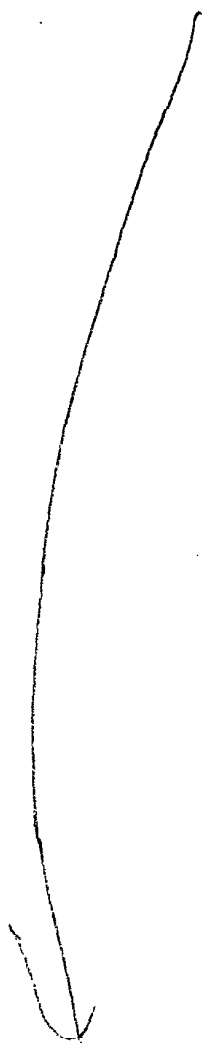
**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 SENATE BILL 55**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page 1003, line 12: after that line insert 

~~#. Page, line:~~
~~#. Page, line:~~
~~#. Page, line:~~
~~#. Page, line:~~
~~#. Page, line:~~



DOA:.....Holden - PSC energy assessments of state agency rule proposals
FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

This bill gives the PSC the authority to conduct an energy assessment of any proposed state agency rule that may potentially impact state energy policies. If, after the assessment, the PSC concludes that the proposal may have a significant impact on the state's energy policies, the PSC may prepare an energy impact statement. The bill requires the state agency that is proposing the rule to consider the PSC energy impact statement before final adoption of the rule. Under the bill, the state agency that is proposing the rule must include the energy impact statement in the notice when the agency submits its proposed rule in final form to the legislature and an explanation of any changes made in the rule in response to that statement.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

✓
SECTION X. 227.117 of the statutes is created to read:

2

1 **227.117 Review of rules impacting energy policies.** (1) The public service
2 commission may conduct an energy^{and reliability} assessment of any proposed rule submitted to the
3 legislative council staff for review under s. 227.15 (1). The energy^{and reliability} assessment shall
4 evaluate the potential impact of the proposed rule on the energy policies of the state
5 related to electricity generation, transmission, or distribution or to fuels used in
6 generating electricity. If, after making such an assessment, the public service
7 commission concludes that the proposed rule may have a significant impact on those
8 policies, the public service commission may prepare an energy^{and reliability} impact statement. An
9 energy^{and reliability} impact statement prepared under this subsection shall evaluate the probable
10 impacts of the proposed rule on the state's energy policies and describe appropriate
11 alternatives to the proposed rule that will reduce any negative impacts on those
12 policies.

13 (2) The public service commission shall submit a copy of any energy^{and reliability} impact
14 statement prepared under sub. (1) to the legislative council staff and to the agency
15 that proposed the rule that resulted in the statement.

16 (3) An agency that receives an energy^{and reliability} impact statement under sub. (2), shall
17 consider the energy^{and reliability} impact statement before submitting the notification and report
18 to the legislature under s. 227.19 (2) and (3).

19 **SECTION 2.** 227.19 (3) (intro.) of the statutes is amended to read:

20 **227.19 (3) FORM OF REPORT.** (intro.) The report required under sub. (2) shall be
21 in writing and shall include the proposed rule in the form specified in s. 227.14 (1),
22 the material specified in s. 227.14 (2) to (4), a copy of any energy^{and reliability} impact statement
23 received from the public service commission under s. 227.117 (2), a copy of any
24 recommendations of the legislative council staff and an analysis. The analysis shall
25 include:

⑥ 3032r

1 SECTION ~~3~~. 227.19 (3) (f) of the statutes is created to read:

2 227.19 (3) (f) If an energy ^{and reliability} impact statement regarding the proposed rule was
3 submitted with the report, an explanation of what changes, if any, that were made
4 in the proposed rule in response to that statement. ✓

5 (END)



ARC:.....Raschka – AM 78, item 1, Omnibus energy motion: PSC rule review

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1003, line 12: after that line insert:

3 **“SECTION 3032m.** 227.117 of the statutes is created to read:

4 **227.117 Review of rules impacting energy policies.** (1) The public service
5 commission may conduct an energy and reliability assessment of any proposed rule
6 submitted to the legislative council staff for review under s. 227.15 (1). The energy
7 and reliability assessment shall evaluate the potential impact of the proposed rule
8 on the energy policies of the state related to electricity generation, transmission, or
9 distribution or to fuels used in generating electricity. If, after making such an
10 assessment, the public service commission concludes that the proposed rule may

1 have a significant impact on those policies, the public service commission may
2 prepare an energy and reliability impact statement. An energy and reliability
3 impact statement prepared under this subsection shall evaluate the probable
4 impacts of the proposed rule on the state's energy policies and describe appropriate
5 alternatives to the proposed rule that will reduce any negative impacts on those
6 policies.

7 (2) The public service commission shall submit a copy of any energy and
8 reliability impact statement prepared under sub. (1) to the legislative council staff
9 and to the agency that proposed the rule that resulted in the statement.

10 (3) An agency that receives an energy and reliability impact statement under
11 sub. (2), shall consider the energy and reliability impact statement before submitting
12 the notification and report to the legislature under s. 227.19 (2) and (3).

13 **SECTION 3032p.** 227.19 (3) (intro.) of the statutes is amended to read:

14 227.19 (3) FORM OF REPORT. (intro.) The report required under sub. (2) shall be
15 in writing and shall include the proposed rule in the form specified in s. 227.14 (1),
16 the material specified in s. 227.14 (2) to (4), a copy of any energy and reliability
17 impact statement received from the public service commission under s. 227.117 (2),
18 a copy of any recommendations of the legislative council staff and an analysis. The
19 analysis shall include:

20 **SECTION 3032r.** 227.19 (3) (f) of the statutes is created to read:

21 227.19 (3) (f) If an energy and reliability impact statement regarding the
22 proposed rule was submitted with the report, an explanation of what changes, if any,
23 that were made in the proposed rule in response to that statement.”

24 (END)