

2003 Senate Bill 194

Date of enactment: **August 11, 2003**  
Date of publication\*: **August 25, 2003**

## 2003 WISCONSIN ACT 40

AN ACT *to amend* 196.485 (1m) (b), 196.485 (1m) (c) and 196.485 (3m) (a) 1. e.; and *to create* 196.485 (3m) (b) 3. of the statutes; **relating to:** powers and duties of transmission company with responsibilities for electric transmission in this state.

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

**SECTION 1.** 196.485 (1m) (b) of the statutes is amended to read:

196.485 **(1m)** (b) After beginning operations, the transmission company shall, except for transmission service provided by an electric utility that has not transferred its transmission facilities to the transmission company, have the exclusive duty to provide transmission service in those areas in which transmission facilities have been contributed. The duty under this paragraph shall terminate on the date, as determined by the commission under sub. (2) (d), that the Midwest independent system operator begins operations, except that the duty shall revert to the transmission company if the transmission company withdraws from the Midwest independent system operator under sub. (3m) (b) 3. If the transmission company makes such a withdrawal, the transmission company shall assume any power or duty granted by state law before the withdrawal to the Midwest independent system operator.

**SECTION 2.** 196.485 (1m) (c) of the statutes is amended to read:

196.485 **(1m)** (c) After beginning operations, the Midwest independent system operator shall, except for

transmission service provided by an electric utility that has not transferred control over its transmission facilities to the Midwest independent system operator, and except as provided in par. (b), have the exclusive duty to provide transmission service in the transmission area and shall ensure that each transmission facility in the transmission area that is under its operational control is planned, constructed, operated, maintained and controlled as part of a single transmission system.

**SECTION 3.** 196.485 (3m) (a) 1. e. of the statutes is amended to read:

196.485 **(3m)** (a) 1. e. Remain Except as provided under par. (b) 3., remain a member of the Midwest independent system operator, or any independent system operator or regional transmission organization that has been approved under federal law to succeed the Midwest independent system operator, for at least the 6-year transition period that is specified in the agreement conditionally approved by the federal energy regulatory commission that establishes the Midwest independent system operator.

**SECTION 4.** 196.485 (3m) (b) 3. of the statutes is created to read:

196.485 **(3m)** (b) 3. Subject to any approval required under federal or state law, withdraw from the Midwest independent system operator or any other independent

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\* Section 991.11, WISCONSIN STATUTES 2001-02 : 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].

system operator or regional transmission organization of  
which the transmission company is or becomes a mem-

ber, if the commission determines that the withdrawal is  
in the public interest.

