



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-0147/1
EHS:emw

2023 SENATE BILL 647

November 9, 2023 - Introduced by Senators COWLES, STROEBEL and BALLWEG, cosponsored by Representatives NEYLON, GUSTAFSON, TITTL, BALDEH, GREEN, KRUG, MURPHY, O'CONNOR, RETTINGER, ROZAR, SPIROS and TRANEL. Referred to Committee on Utilities and Technology.

1 **AN ACT** *to repeal* 196.026 (2); and *to create* 196.01 (2o) and 196.025 (8) and (9)
2 of the statutes; **relating to:** the Public Service Commission's website and an
3 annual report relating to its dockets.

Analysis by the Legislative Reference Bureau

This bill establishes certain requirements of the Public Service Commission with respect to its website and the issuance of an annual report relating to PSC dockets. A "docket" is defined as an investigation, proceeding, or other matter opened by a vote of PSC, except for rule making.

Under the bill, PSC must include, with at least the first reference to a public utility in any page or document PSC produces and publishes on its website, all names by which the public is likely to know the utility, such as the name of a parent company.

The bill requires PSC, in its website that offers public access to docket information, to establish a function that allows a person to sign up to receive email notifications relating to a single docket or a single utility and to specify the type of activity relating to that docket or utility about which the person would like to receive notifications.

The bill requires PSC to produce a report each year that shows each docket that either was opened or had a decision issued on it during the prior calendar year, organized into the following two lists: one list that includes dockets relating to investor-owned utilities and one list that includes dockets relating to municipal water, electric, gas and sewer utilities. Under the bill, PSC must organize each list

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by utility and include for each docket the docket identification number, the title of the proceeding, the number of public comments received in the docket if a public comment period was held, the date of the application, and, if applicable, the dates of the notice of investigation and the decision.

The bill also requires the annual report to include for each docket in which a PSC decision was issued during the prior calendar year an opinion on the likely impact on ratepayers, based on how the decision will impact public utility costs. Under the bill, each opinion must state whether the impact on public utility costs, and therefore on ratepayers, is likely to be positive (will lower public utility costs), negligible (will have little to no impact), negative (will increase the public utility costs), or other (will have both increased and decreased costs—for example, if the early retirement of a plant increases costs but the use of environmental trust financing in that retirement decreases costs). The bill provides that such an opinion is for informational purposes only, is not on the merits of the proceeding, and is not binding on future PSC decisions.

The bill authorizes PSC to allow for public comments on these reports, including comments from the public utility referenced in the report, and to adjust the reports based on comments received. The bill requires PSC, no later than April 30 of the year after the year that is the subject of the report, to submit the reports to the standing committees of the legislature with jurisdiction over energy and utilities and to make the reports available to the public on PSC's website.

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

1 **SECTION 1.** 196.01 (2o) of the statutes is created to read:

2 196.01 (2o) “Docket” means an investigation, proceeding, or other matter
3 opened by a vote of the commission, except for rule making.

4 **SECTION 2.** 196.025 (8) and (9) of the statutes are created to read:

5 196.025 (8) COMMISSION WEBSITE. (a) In any document or information produced
6 by the commission and published on the commission's website, the commission shall
7 include, with at least the first reference to a public utility on any page or document,
8 all names by which the public is likely to know the public utility, such as the name
9 of a parent company.

10 (b) If the commission maintains a website that offers public access to docket
11 information, the commission shall establish a function on the website that allows a

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1 person to sign up to receive email notifications relating to a single docket or a single
2 public utility and to specify the type of activity relating to that docket or public utility
3 about which the person would like to receive notifications.

4 **(9) COMMISSION REPORTS AND OPINIONS.** (a) No later than April 30 of each year,
5 the commission shall produce a report showing, at a minimum, all of the following:

6 1. Each docket that either was opened or had a decision issued on it during the
7 prior calendar year, organized into two lists: one list that includes dockets relating
8 to investor-owned public utilities and one list that includes dockets relating to
9 municipal water, electric, gas, and sewer utilities. The commission shall organize
10 each list by utility and shall include for each docket the docket identification number,
11 the title of the proceeding, the number of public comments received in the docket if
12 a public comment period was held, the date of the application, and, if applicable, the
13 dates of the notice of investigation and the decision.

14 2. The commission's opinion on the likely impact on ratepayers of each
15 commission decision issued in a docket during the prior calendar year, basing this
16 opinion on how the decision will impact public utility costs. Each opinion shall state
17 whether the impact on public utility costs, and therefore on ratepayers, is likely to
18 be positive, negligible, negative, or other. An impact is "positive" if the decision will
19 lower public utility costs, "negligible" if the decision will have little to no impact,
20 "negative" if the decision will increase the public utility costs, and "other" if the
21 decision will have both increased and decreased costs, such as if the early retirement
22 of a plant increases costs but the use of environmental trust financing under s.
23 196.027 in that retirement decreases costs. The commission's opinion under this
24 subdivision is not on the merits of the proceeding at issue in the docket and is not
25 binding on future commission decisions.

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1 (b) The commission may allow for public comments on the opinions in the report
2 under par. (a) 2., including comments from the public utility referenced in the report,
3 and may adjust the report based on comments received during the public comment
4 period.

5 (c) No later than April 30 of the year following the calendar year that is the
6 subject of the report, the commission shall submit the report under par. (a) to the
7 standing committees of the legislature with jurisdiction over energy and utilities
8 under s. 13.172 (3) and shall make the report available to the public on the
9 commission's website.

10 **SECTION 3.** 196.026 (2) of the statutes is repealed.

11 **SECTION 4. Effective date.**

12 (1) This act takes effect on the first day of the 7th month beginning after
13 publication.

14 (END)