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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 02-115

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]**

#### 2. Form, Style and Placement in Administrative Code

a. In the Table of Contents, references to Part 2, Part 3, and Part 4, are unnecessary and should be deleted. Also, the titles of ss. PSC 114-234E1, 114.320B7, Table 114.352-1, and 114.444A3 should be compared with the text of the rule for consistency. Finally, it appears that the title to s. PSC 114.311C should be deleted since that provision apparently is no longer contained in ch. PSC 114.

b. In s. PSC 114.002 (2) (a), the semicolon should be replaced by the phrase “and prohibits.” In sub. (2) (c), the parenthetical notation should be replaced by commas.

c. Section PSC 114.005 (1) needs to be rewritten. It appears that pars. (b) and (c) are meant to follow introductory material contained in par. (a). If so, sub. (1) itself should contain the introductory material followed by a listing in pars. (a) to (c). Also note that “waived by the commission” is repeated in pars. (a) and (c). The word “covers” should be replaced by the phrase “applies to.” Finally, definitions should be included in this section for the term “rule” and “addition.” These terms should be used consistently.

d. In s. PSC 114.005 (7) (b), the word “Rule” should be replaced by the notation “s.” Also, sub. (7) (c) should begin with the phrase “A footnote to a table has.”

e. In s. PSC 114.202 (1), the word “Rule” should be replaced by the notation “s.” [See also s. PSC 114.302.]

f. In s. PSC 114.350 (g), the date should be expressed as “January 1, 1996.”

g. In s. PSC 114.381 (h), the phrase “effective date of this chapter” should be clarified either by referring to the edition date of the National Electrical Safety Code or by inserting the phrase “. . . [revisor inserts date].”

h. Throughout the rule, it is not necessary to make use of the reference “Wis. Adm. Code.”

#### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. In repealing and recreating, normally no underscoring or striking should be present. However, the underscores and striking are helpful to the reader in depicting changes from the present rule. If this method is used in the future, a clean copy of the rule also should be sent to the Clearinghouse.

b. Section PSC 114.003 (3) (b) is not clear. What is meant by the phrase “A utility may file with the public service commission requirements”? If this is some sort of request for a waiver, than the rule provision should specifically so state.