

ment or penalty for late payment, if any, and the period during which the net amount may be paid shall be specified.

(2) If service to other utilities or municipalities for resale is furnished at a standard filed rate, either a copy of each contract or the standard contract form with a summary of the provisions of each signed contract.

(3) Extension rules for extending service to new customers indicating what portion of the extension or cost thereof will be furnished by the utility, and if the rule is based on cost, the items of cost included.

(4) Designation of such portion of the service facilities as the utility furnishes, owns and maintains.

(5) Rules with which prospective customers must comply as a condition of receiving service, and the terms of any contracts required.

(6) Rules governing the establishing of credit by customers for payment of service bills.

(7) Rules governing disconnecting and reconnecting service.

(8) Notice required from customer for having service discontinued.

(9) Rules governing temporary, emergency, auxiliary, and standby service.

(10) Rules governing any limitations on the type of equipment which may or may not be connected.

(11) A list of the municipalities in which service is rendered.

**History:** Cr. Register, May, 1972, No. 197, eff. 6-1-72.

**PSC 185.22 Information available to customers.** (1) There shall be kept on file in every station and office of the utility where customer payments are received copies of the rate schedules applicable in such locality. Copies of these rules and such rules of the utility as are applicable shall be kept on file in every general and local office of the utility. Reasonable notice shall be given customers as to where the foregoing information is available to them.

(2) Where a customer is eligible to take service under any one or more of 2 or more rates, the company shall advise the customer in the selection of the rate or rates which result in the lowest cost of service, based on 12 month's service and on the information at hand.

(3) Each water utility, for every municipality in which it serves, shall provide in the respective telephone directories a telephone listing by which the utility can be notified during a 24-hour day of any utility service deficiency or emergency which may exist.

(4) Where a second language is common in a particular area served by the utility and so identified by the commission, all rules pertaining to billing and credit shall be available upon customer request for distribution in English and that second language in every business office of the utility in that area accessible to the public and where customer payments are received.

(5) Upon application for service, every customer shall be advised by the utility of the utility's collection powers contained in section 66.069 (1) (b), Wis. Stats.

**History:** Cr. Register, May, 1972, No. 197, eff. 6-1-72; emerg. r. and recr. eff. 1-21-75; r. and recr. Register, January, 1975, No. 229, eff. 2-1-75.

### Part 3. Service and Billing

**PSC 185.31 Metered service.** (1) Except where otherwise authorized by the commission, all water sold by a utility shall be on the basis of meter measurement except that water used for street or sewer flushing, construction, or similar purposes where metering is not practicable may be estimated (See Wis. Adm. Code section PSC 185.15).

(2) Wherever practicable, consumption of water within the utility itself, or by administrative units associated with it or with the municipality shall be metered.

**History:** Cr. Register, May, 1972, No. 197, eff. 6-1-72.

**PSC 185.32 Meter readings and billing periods.** Readings of all meters used for determining charges to customers shall be taken by the utility monthly, bimonthly, quarterly, semi-annually or for such other period or in such other manner as may be authorized by the commission. An effort shall be made to read meters on corresponding days of each meter-reading period. The meter reading date may be advanced or postponed not more than 10 days without adjustment of the billing period. Bills for service shall be rendered within 50 days from the reading of the meter except as may be otherwise specifically authorized by the commission.

**History:** Cr. Register, May, 1972, No. 197, eff. 6-1-72.

**PSC 185.33 Billing** (1) (a) Each bill, including the customer's receipt, shall show the present and last preceding meter readings, the date of the present reading, the number of units consumed, the class of service if other than residential, and the rate schedule under which the bill is computed. In lieu of including the rate schedule on the bill the utility may, whenever a rate change becomes effective and at least twice a year, supply each customer with the schedule of rates at which the bills are computed and any other rates that might be applicable. Bills rendered at rates requiring the measurement of a number of different factors shall show all data necessary for the customer to check the computation of the bill. Minimum and estimated bills shall be distinctly marked as such.

(b) If the utility is authorized to make late payment charges, such charges shall comply with the following requirements.

1. The bill shall clearly indicate the amount of the late payment charge and the date after which the late payment charge shall be applied.

2. Late payment charges shall be applied no sooner than 20 days after the date of issuance of the bill.

3. The amount of the late payment charge shall be 3% of the bill, except a minimum charge of 30¢ shall apply.

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4. Late payment charges shall be applied to all customer classes and rate classifications.

5. The utility shall not waive any properly applied late payment charges.

6. A late payment charge shall be applied only once to any given amount outstanding.

**Note:** The public service commission in its order adopting the revision to PSC 185.33 (1) states that "all public utilities operating in Wisconsin shall be in compliance with all of the rules adopted herein not later than 180 days after said rules become effective [9-1-76]."

(2) (a) If the billing period is longer or shorter than allowed in Wis. Adm. Code section PSC 185.32, the bill shall be prorated on a daily basis unless other provision is made in the utility's filed rules.

(b) If the utility reads the meters at the end of each billing period, the utility may leave the meter reading forms when access to meters cannot be gained. If requested by the customer, the utility shall provide such forms. If no form is left or the form is not returned in time for the billing operation, a minimum or estimated bill may be rendered. In cases of emergency, the utility may render minimum or estimated (average) bills without reading meters or supplying meter reading forms to customers. Only in unusual cases or when approval is obtained from the customer, shall more than 3 consecutive estimated bills be rendered where bills are rendered monthly and there shall be not more than 2 consecutive estimated bills where the billing period is 2 months or more.

(c) If an estimated bill appears to be abnormal when a subsequent reading is obtained, the bill for the entire period shall be computed at a rate which contemplates the use of service during the entire period and the estimated bill shall be deducted. If there is reasonable evidence that the use occurred during only one billing period, the bill shall be so computed.

(3) (a) Credits due a customer because of meter inaccuracies, errors in billing, or misapplication of rates shall be shown separately and identified.

(b) The original billing rendered because of meter inaccuracy, or error in billing, shall be separated from the regular bill and the charges explained in detail. Subsequent to the first billing, the amount may be shown as a separate item on the regular bills.

**History:** Cr. Register, May, 1972, No. 197, eff. 6-1-72, r. and recr. (1), Register, August, 1976, No. 248, eff. 9-1-76.

**PSC 185.35 Adjustment of bills.** (1) Whenever a positive displacement meter is found upon test to have an average percent registration of more than 102 and whenever a compound or current type meter is found upon test to have an average percent registration of more than 103, a recalculation of bills for service shall be made for the period of inaccuracy assuming an inaccuracy equal to the average percent error in excess of 100.

(2) For the purposes of this rule, the average percent registration shall be the average percent registration for those normal test points which are within the normal test flow limits of the meter, except that the test point within the "change-over" range for compound meters

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shall be ignored. (For positive displacement meters the light flow test point would not be considered.)

(3) If the period of inaccuracy cannot be determined, it shall be assumed that the full amount of inaccuracy existed during the last half of the period since the meter was installed or last tested; however, the period of accuracy shall not exceed one-half the required test period.

(4) If the recalculated bills indicate that more than \$1 is due an existing customer or \$2 is due a person no longer a customer of the utility, the full amount of the calculated difference between the amount paid and the recalculated amount shall be refunded to the customer. The refund to an existing customer may be in cash or as credit on a bill. If a refund is due a person no longer a customer of the utility, a notice shall be mailed to the last known address and the utility shall, upon request made within 3 months thereafter, refund the amount due.

(5) Where a meter in service is found not to register or is found to have an average percent registration of less than 97, the utility may bill the customer for the amount the test indicates has been undercharged for the period of inaccuracy, which period shall not exceed the last 6 months the meter was in service unless otherwise authorized by the commission after investigation. This limitation does not apply in the case of wholesale customers. No back bill will be sanctioned if the customer has called to the company's attention his doubts as to the meter's accuracy and the company has failed within a reasonable time to check it.

(6) Subject to the utility's rules setting forth the method of determining a reduced rate herein authorized, if a leak unknown to the customer is found in an appliance or the plumbing, the utility may estimate the water so wasted and bill for it at a reduced rate not less than the utility's cost thereof. No such adjustment shall be made for water supplied after the customer has been notified and has had an opportunity to correct the condition.

(7) Where, because of some deficiency in the utility's portion of the facilities and at the request of the utility, a customer permits a stream of water to flow to prevent freezing of the service or main the utility shall adjust his bill for the excess consumption which results.

(8) A classified record shall be kept of the number of refunds and charges made because of inaccurate meters, misapplication of rates, and erroneous billing. A summary of the record for the previous calendar year shall, upon request, be submitted to the commission by April 1.

**History:** Cr. Register, May 1972, No. 197, eff. 6-1-72.

**PSC 185.36 Deposits.** (1) **NEW RESIDENTIAL SERVICE.** A utility shall not require a cash deposit or other guarantee as a condition of new service unless a customer has an outstanding account balance with the utility which accrued within the last 6 years, and which at the time of the request for new service remains outstanding and not in dispute. (See Wis. Adm. Code section PSC 185.39.)

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(2) **EXISTING RESIDENTIAL SERVICE.** A utility shall not require a cash deposit or other guarantee as a condition of continued service unless either or both of the following circumstances apply:

(a) The utility has shut off or discontinued the service of the customer within the last 12-month period for violation of the utility's filed rules or for nonpayment of a delinquent service account not currently in dispute.

(b) Subsequent credit information indicates that the initial application for service was falsified or incomplete to the extent that a deposit would be required under this section.

(3) **NON-RESIDENTIAL SERVICE.** (a) In the case of non-residential service if the credit of an applicant for water service has not been established satisfactorily to the utility, he may be required to deposit a sum not exceeding the estimated gross bills for all water service, both billed and unbilled, which can be supplied before the utility's filed disconnect rule becomes applicable. The amount to be deposited may be a minimum of \$1 per month for each class of water service furnished.

(b) The deposit shall be refunded after 24 consecutive months of prompt payment. In no case, however, will a deposit be refunded if the customer's credit standing is not satisfactory to the utility.

(c) Payment shall be considered "prompt" if it is made prior to notice of disconnection for nonpayment not in dispute.

(4) **CONDITIONS OF DEPOSIT.** The maximum deposit for a new or existing residential account shall not exceed the estimated gross bills for all water service, both billed and unbilled, which can be supplied before the utility's filed disconnect rule becomes applicable. The amount to be deposited may be a minimum of \$1 per month for each class of water service furnished.

(5) **INTEREST.** Deposits shall bear interest of at least the legal rate, payable from the date of deposit to the date of refund or discontinuance of service, whichever is earlier.

(6) **REVIEW.** The utility shall review the payment record of each residential utility customer with a deposit on file at 12-month intervals. The utility shall not require or continue to require a cash deposit unless a deposit is required under the provisions of section PSC 185.36 (2).

(7) **REFUND.** Any deposit or portion thereof refunded to a customer shall be refunded by check unless both the customer and the utility

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