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1-AC-54

CERTIFICATE

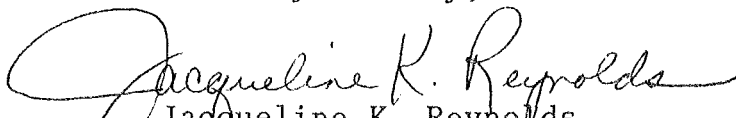
STATE OF WISCONSIN)
) ss.
PUBLIC SERVICE COMMISSION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Jacqueline K. Reynolds, Secretary of the Public Service Commission of Wisconsin, and custodian of the official records of said commission, do hereby certify that the annexed order amending Wis. Adm. Code section PSC 5.09(1)(a) was duly approved and adopted by this commission on July 26, 1983.

I further certify that said copy has been compared by me with the original on file in this commission and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the commission at the Hill Farms State Office Building, in the City of Madison this 29th day of July, 1983.


Jacqueline K. Reynolds
Secretary of the Public Service
Commission of Wisconsin

10-183

DATE MAILED
JUL 28 1983



COMPARED WITH AND CERTIFIED BY ME
TO BE A FULL, TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE IN MY OFFICE

JUL 26 1983

Jacqueline K. Reynolds
Secretary to the Commission
Public Service Commission of Wisconsin

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Notice of Assessment) 1-AC-54
of Costs)

ORDER OF THE PUBLIC SERVICE
COMMISSION AMENDING RULES

Relating to amendment of sec. PSC 5.09(1)(a), regarding
notice of assessment of costs.

ANALYSIS PREPARED BY THE PUBLIC SERVICE
COMMISSION OF WISCONSIN

Under sec. 196.85(1), Stats., the cost of regulation is billed directly to the utility or other entity which is the subject of the PSC regulatory activity. Chapter PSC 5, Wisconsin Administrative Code, contains rules to implement the statute.

Although not required by statute, sec. PSC 5.09(1)(a), provides that prior to any investigation or regulatory activity the commission shall make an express finding of the need to engage in the activity and of the intent to assess its costs. The need to make this finding prior to any regulatory activity, however, has delayed some investigations or created doubt as to whether a utility can be billed for activity occurring prior to the notice--such as the work of auditors prior to rate cases.

While the commission will continue to issue sec. PSC 5.09(1)(a) notices at the earliest possible time, the rule is being amended to provide for notice of assessment prior to sending the bill rather than prior to actually commencing the proceeding.

RULE AND STATUTORY AUTHORITY

Pursuant to authority vested in the Public Service Commission by secs. 196.85 and 227.014, Stats., the commission adopts the following rule:

SECTION 1. PSC 5.09(1)(a) is amended to read:

Prior to making any assessment of costs under sec. 196.85(1), Stats., arising out of any investigation of the books, accounts, practices and activities or appraisal of the property of a public utility, power district or sewerage system, the commission shall make an express finding of necessity of the investigation or appraisal and issue notice of its intention to assess the costs of the proceeding.

This action is classified as a Type III action according to PSC 2.90(3), Wis. Adm. Code. No unusual circumstances have come to the attention of the commission that would require further environmental review. It consequently requires neither an environmental impact statement under s. 1.11, Wis. Stats., nor an environmental assessment.

There will be no fiscal impact of the proposed rule on the state or municipalities. The proposed rule will be sent to the legislature for review, pursuant to sec. 227.018, Stats. They will take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided in sec. 227.026, Stats.

Dated at Madison, Wisconsin,

July 26, 1983

By the Commission.

Jacqueline K. Reynolds
Jacqueline K. Reynolds
Secretary to the Commission