

Chapter PSC 134

STANDARDS FOR GAS SERVICE

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PSC 134.01 General. (1) Chapter PSC 134 of the public service commission's departmental rules is part of the Wis. Adm. Code and constitutes a general order of the public service commission, the issuance of which is authorized by ss. 227.014, 196.02, 196.06, 196.10, 196.12, 196.15, 196.16, 196.17, and 196.19, Stats.

(2) The rules making up ch. PSC 134 are designed to effectuate and implement ss. 196.02, 196.03, 196.06, 196.10, 196.12, 196.15, 196.16, 196.17, 196.19, 196.21, 196.22, 196.60, 196.62 and parts of other sections of the Wisconsin statutes.

(3) Nothing in this chapter of the Wisconsin Administrative Code shall preclude the commission's giving special and individual consideration to exceptional or unusual situations or, upon investigation of the facts and circumstances involved, adopting requirements as to individual utilities or services which may be lesser, greater, other than or different from those provided in these rules.

(4) The requirements of ch. PSC 134 shall be observed by all public utilities, both privately and publicly owned, engaged in the manufacture, mixing, purchasing, storage, transmission and/or distribution of gaseous fuel.

(5) The manner of enforcing the rules in ch. PSC 134 is prescribed in s. 196.66, Stats., and such other means as provided in statutory sections administered by the public service commission.

(6) In case of emergency, where public interest requires immediate action without waiting for compliance with the specific terms of these rules, immediate corrective action shall be taken by the utility, which action, however, shall be subject to review by the public service commission.

(7) Periodic reports to the public service commission are required by ss. PSC 134.14 (6); 134.17; 134.18 (3); 134.19 (3); 134.25 (4). Individual reports are required by PSC 134.18 (4) and (5).

History: 1-2-56; r. and recr. Register, February, 1959, No. 38, eff. 3-1-59; am. (5), Register, January, 1965, No. 109, eff. 2-1-65; renum. (3) to (6) to be (4) to (7), Register, November, 1980, No. 299, eff. 12-1-80.

PSC 134.02 Definitions. The following terms as used in this chapter mean:

(1) **APPLIANCE.** A gas appliance is any device which utilizes gas fuel to produce light, heat, or power.

(2) **COMPLAINT.** Complaint as used in this chapter is a statement or question by anyone, whether a utility customer or not, involving a wrong, grievance, injury, dissatisfaction, illegal action or procedure, dangerous condition or action, or utility obligation.

(3) **DEMAND.** Gas demand means the amount of gas required per unit of time, usually expressed in cubic feet, Btu, or therms per unit of time.

(4) **DRY GAS.** Dry gas as applied to gas usage means a gas having a moisture and hydrocarbon dew point below any normal temperature to which the gas piping is exposed. As applied to determination of heating value or specific gravity it means the complete absence of moisture or water vapor.

(5) **GAS.** Gas as used in this chapter is any gas or mixture of gases suitable for domestic or industrial fuel and transmitted or distributed to the user through a piping system. The common types are natural gas, manufactured gas, and liquefied petroleum gas distributed as a vapor with or without admixture of air.

(6) **HEATING AND CALORIFIC VALUES.** (a) *British thermal unit (Btu).* A British thermal unit is the quantity of heat that must be added to one avoirdupois pound of pure water to raise its temperature from 58.5DF to 59.5DF under standard pressure.

(b) *Dry calorific value.* The dry calorific value of a gas (total or net) is the value of the total or the net calorific value of the gas divided by the volume of dry gas in a standard cubic foot.

Note: The amount of dry gas in a standard cubic foot is .9826 cu. ft.

(c) *Net calorific value of a gas.* The net calorific value of a gas is the number of British thermal units evolved by the complete combustion, at constant pressure, of one standard cubic foot of gas with air, the temperature of the gas, air, and products of combustion being 60DF and all water formed by the combustion reaction remaining in the vapor state.

Note: The net calorific value of a gas is its total calorific value minus the latent heat of evaporation at standard temperature of the water formed by the combustion reaction.

(d) *Therm.* Therm means 100,000 British thermal units.

(e) *Total calorific value.* Total calorific value of a gas is the number of British thermal units evolved by the complete combustion, at constant pressure, of one standard cubic foot of gas with air, the temperature of

(b) If a residential service which has been disconnected has not been restored to service within 24 hours after the time of the disconnection, the utility shall inform the local law enforcement department of the billing name and the service address and that a threat to health and life might exist to persons occupying the premises.

(10) Notwithstanding any other provision of this chapter, utility service may not be refused because of a delinquent account if the customer or applicant provides as a condition of future service a deposit or guarantee as governed by s. PSC 134.061, or a voucher agreement.

History: Cr. Register, January, 1975, No. 229, eff. 2-1-75; am. (1) (a) and (5) (a), Register, December, 1975, No. 240, eff. 1-1-76; am. (2) (intro.), Register, March, 1979, No. 279, eff. 4-1-79; emerg. cr. (2) (g), eff. 1-26-80; cr. (2) (f), Register, January, 1980, No. 289, eff. 2-1-80; cr. (2) (e), Register, February, 1980, No. 290, eff. 3-1-80; cr. (2) (g), Register, July, 1980, No. 295, eff. 8-1-80; emerg. cr. (10), eff. 12-17-81; cr. (2) (h), Register, September, 1982, No. 321, eff. 10-1-82; cr. (10), Register, September, 1983, No. 333, eff. 10-1-83.

PSC 134.0623 Cold weather disconnections. This section applies to disconnections of utility service to residential dwelling units occurring during the period November 15 to April 15 in any year for customers residing south of United States Highway 10 and during the period November 1 to April 15 in any year for all other customers. A municipality divided by United States Highway 10 is considered to be wholly located north of the line.

(1) **NOTICE.** Prior to disconnection of service, a utility representative shall attempt to meet personally with a responsible, adult member of the customer's household to discover any circumstances which deserve special attention, such as medical problems or disabilities. If the utility is unable to establish such personal contact, it shall contact the customer by return-receipt-requested mail. The utility shall maintain a record of all customer contacts and attempted contacts. Prior to any planned disconnection of service, the utility shall notify the local department of social services.

(2) **TELEPHONE AVAILABILITY.** A utility shall provide its emergency after-hours telephone number to all customers scheduled for utility service disconnection.

(3) **SOCIAL SERVICE AGENCIES.** A utility shall inform local law enforcement and social service agencies of the name and address of a customer whose service has been disconnected and that a threat to health or life might exist at the customer's premises. The utility shall immediately notify the same agencies if service is reconnected.

(4) **FINANCIAL ASSISTANCE INFORMATION.** Not less than 5 days prior to disconnection, a utility shall advise a customer to contact the county department of social services and other organizations that may provide financial or shelter assistance.

(5) **CUSTOMER RIGHTS INFORMATION.** Prior to disconnection, a utility shall inform the customer of his or her right to a deferred payment agreement, budget billing, and fuel assistance.

(6) **COLD WEATHER DISCONNECTION PROHIBITED.** A utility may not disconnect customer service unless there are reasonable grounds to believe that the disconnection will not, under the circumstances, endanger human health or life during the period of disconnection.

(7) **NO DISCONNECTION ON CERTAIN DAYS.** A utility may not disconnect service on a Friday, Saturday, Sunday, holiday or on a day when utility personnel are not readily available to the customer 24 hours per day to negotiate restoration of service.

(8) **THIRD PARTY CONTACTS.** If the customer has previously requested that a specific third party be notified before disconnection, the utility shall contact that third party prior to disconnecting service.

(9) **MANAGEMENT-LEVEL EMPLOYEE.** Service may not be disconnected without the prior written approval of an appropriate management-level utility employee.

(10) **FOLLOW UP VISIT.** (a) By the end of the work day following the day of disconnection, the utility shall make an in-person visit to check on the customer's well-being and to ensure there is no danger to human health or life. The utility shall again inform the customer of his or her right to a deferred payment or budget billing agreement and of the existence of social service agencies that may provide financial or shelter assistance.

(b) The utility may request that the visit be made by a representative of a city health department, local health and social service agency, local law enforcement agency, or similar authority but ultimate responsibility for the visit shall remain with the utility.

(c) The utility shall make a written record of the visit.

History: Emerg. cr. 11-7-84; cr. Register, December, 1984, No. 348, eff. 1-1-85.

PSC 134.0624 Reconnection of service. (1) Prior to October 15 of each year, or at a date designated by the commission, a utility shall attempt by letter, telephone, or personal visit to contact all residential customers whose service remains disconnected for nonpayment and inform them of available payment options such as budget billing, or deferred payment agreement. If a letter or telephone call does not result in a response from an adult member of the customer's household, a personal visit shall be made. A record shall be kept of all contacts and attempts.

(2) On October 25 of each year, or at a date designated by the commission, a utility shall inform local law enforcement and county social service agencies of the name and address of each customer in an occupied dwelling where service remains disconnected. Upon request of the county department of social services, a utility shall also notify other designated agencies.

(3) On dates designated by the commission, a utility shall file periodic reports to the commission listing the number of occupied dwellings where service remains disconnected.

(4) A utility shall cooperate with law enforcement and social service agencies in negotiating restoration of service. Local law enforcement and social service agencies may use the commission's dispute resolution process on behalf of a customer whose service has been disconnected.

History: Emerg. cr. 11-7-84; cr. Register, December, 1984, No. 348, eff. 1-1-85.

PSC 134.063 Deferred payment agreement. The utility is required to offer deferred payment agreements only to residential accounts.

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(1) Every deferred payment agreement entered into due to the customer's inability to pay the outstanding bill in full shall provide that service will not be discontinued if the customer pays a reasonable amount of the outstanding bill and agrees to pay a reasonable portion of the remaining outstanding balance in installments until the bill is paid.

(2) For purposes of determining reasonableness under these rules the parties shall consider the:

- (a) Size of the delinquent account.
- (b) Customer's ability to pay.
- (c) Customer's payment history.
- (d) Time that the debt has been outstanding.
- (e) Reasons why the debt has been outstanding.

(f) Any other relevant factors concerning the circumstances of the customer.

(3) A deferred payment agreement offered by a utility shall state immediately preceding the space provided for the customer's signature and in bold face print at least 2 type sizes larger than any other used thereon, that "IF YOU ARE NOT SATISFIED WITH THIS AGREEMENT, DO NOT SIGN. YOU HAVE THE RIGHT TO MAKE A COUNTER OFFER AND, IF IT IS REJECTED, YOU HAVE THE RIGHT TO APPEAL THIS PROPOSED AGREEMENT TO THE PUBLIC SERVICE COMMISSION OF WISCONSIN, DURING WHICH TIME THE UTILITY MAY NOT DISCONNECT YOUR SERVICE. THIS DOES NOT RELIEVE YOU FROM THE OBLIGATION TO PAY BILLS THAT ARE INCURRED AFTER COMMENCEMENT OF DISPUTE PROCEDURES. IF YOU DO SIGN THIS AGREEMENT YOU GIVE UP YOUR RIGHT TO DISPUTE THE AMOUNT DUE UNDER THE AGREEMENT EXCEPT FOR THE UTILITY'S FAILURE OR REFUSAL TO FOLLOW THE TERMS OF THIS AGREEMENT."

(4) A deferred payment agreement shall not include a finance charge.

(5) If an applicant for utility service has not fulfilled terms of a deferred payment agreement, the utility shall have the right to disconnect pursuant to disconnection of service rules (PSC 134.062) and under such circumstances, it shall not be required to offer subsequent negotiation of a deferred payment agreement prior to disconnection.

(6) Payments made by a customer in compliance with a deferred payment agreement, shall be first considered made in payment of the previous account balance with any remainder credited to the current bill.

(7) If a deferred payment agreement cannot be reached, and if the customer's proposed deferred payment agreement is unacceptable to the utility, the utility shall inform the customer in writing why the customer's offer was not acceptable.

History; Emerg. cr. eff. 1-21-75; cr. Register, January, 1975, No. 229, eff. 2-1-75; am., Register, March, 1979, No. 279, eff. 4-1-79.

PSC 134.064 Dispute procedures. (1) Whenever the customer disputes the utility's request for a deposit or other guarantee, or advises the util-

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ity's designated office that all or any part of any billing as rendered is in dispute, or that any matter related to the disconnection or refusal of service is in dispute, the utility shall:

- (a) Investigate the dispute promptly and completely.
- (b) Advise the customer of the results of the investigation.
- (c) Attempt to resolve the dispute.
- (d) Provide the opportunity for the customer to enter into a deferred payment agreement when applicable in order to settle the dispute.

(2) After the customer has pursued the available remedies with the utility, he may request that the public service commission staff informally review the disputed issue and recommend terms of settlement.

(a) A request for informal review may be made in any reasonable manner such as by written notice or telephone request directed to the public service commission. By telephone or written notice the public service commission staff may request the utility to investigate the dispute.

(b) There must be at least 5 days between the date the commission staff telephones or mails written notice of terms of settlement after informal review, and any subsequent disconnection.

(3) Any party to the dispute after informal review may make a written request for a formal review by the commission. Such request must be made within 5 days of the date the commission staff telephones or mails written notice of terms of settlement after informal review. If written confirmation of the staff telephone notice is requested and mailed, the 5 day period begins from the date of that mailing.

(a) Within 10 days from the time such a request is made, the commission shall decide on the basis of the information it has received from the staff whether to hold a hearing on the matter and shall inform both parties of its decision.

(b) If the commission decides to conduct formal hearing on the dispute, the customer shall be required to pay 50% of the bill or deposit in dispute to the utility or post bond for that amount on or before date of hearing. Such payment or bond may be waived by the commission for good cause shown. Failure to pay the specified amount before hearing will constitute waiver by the customer.

(c) Such a hearing shall conform to the procedures described in ss. 196.26 to 196.34, Stats.

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will satisfactorily indicate the operating condition of the internal metering mechanism. For the spin test method a test record shall be set up; and the original and subsequent spin test results shall be recorded and compared with the specified minimum coasting time as filed with the commission for that type meter.

History: Cr. Register, February, 1959, No. 38, eff. 3-1-59; am. (3), Register, November, 1962, No. 83, eff. 12-1-62; cr. (5), Register, January, 1965, No. 109, eff. 2-1-65; cr. (6), Register, April, 1969, No. 160, eff. 5-1-69.

PSC 134.29 Installation test. No meter shall be used to meter gas consumption for billing purposes unless it was tested and found correct, as defined in s. PSC 134.27 not longer than 15 months previous to its use. The first test on a meter or a retest after a major overhaul shall include a check of the registering device and linkages.

History: Cr. Register, February, 1959, No. 38, eff. 3-1-59; am. Register, April, 1969, No. 160, eff. 5-1-69.

PSC 134.30 Periodic testing and maintenance. Each utility shall test its meters according to the following schedule except as provided in s. PSC 134.26 (1). Where pressure regulators, volume corrective devices, or other measuring devices are used on the service or used in conjunction with the meters, they shall be tested on the same schedule as the meters.

(1) All diaphragm meters that are measuring dry gas and have non-absorptive type diaphragms or were rediaphragmed since the introduction of dry gas shall be due for removal from service, tested, adjusted, repaired if necessary, and retested if reused, every 144 months if the meter capacity is 2,400 cubic feet per hour or less at ½-inch water column and every 48 months if the capacity is greater than 2,400 cubic feet. Meters shall be tested during the calendar year in which said 144th or 48th month falls.

(2) All diaphragm meters that are measuring dry gas that do not have non-absorptive-type diaphragms and have not been rediaphragmed since the introduction of dry gas shall be removed from service, tested, adjusted, re-diaphragmed and retested within 48 months of the introduction of dry gas if the meter capacity is 2,400 cubic feet per hour at ½-inch water column and within 24 months if the capacity is greater than 2,400 cubic feet.

(3) All diaphragm meters that measure other than dry gas shall be removed from service, tested, adjusted, repaired, if necessary, and retested if reused every 96 months if the meter capacity is 2,400 cubic feet per hour or less at ½-inch water column and every 48 months if the capacity is greater than 2,400 cubic feet.

(4) Rotary meters having a capacity of 15,000 cubic feet per hour or less at 4 oz. water column pressure shall be given a differential test at least once every 48 months and once every 24 months if the capacity is greater than 15,000 cubic feet. When the differential differs from the original test record by more than 50%, the meter shall be cleaned and/or repaired.

(5) Orifice meters shall have their differential and static recording gauges tested at least once each month, the diameter and condition of the orifice checked at least once a year. The specific gravity of the gas shall be checked as required in s. PSC 134.21 (4), and any temperature recording devices tested annually.

(6) Turbine meters shall be given an inspection and spin test at least once every 12 months. When the coasting time is equal to or less than the specified minimum coasting time as on file with the commission, the meter shall be cleaned and/or repaired.

(7) Turbine meters which are capable of automatically adjusting shall be inspected and tested at least once every 12 months. They shall be tested in accordance with s. PSC 134.28 (6) or with the use of the meter manufacturer's electronic field prover.

(8) Whenever an automatically adjusting turbine meter automatically adjusts the volume for plus or minus 5% or more while in operation at a steady flow rate of 10% or more of the meter's rated capacity, the meter shall be cleaned and/or repaired.

(9) Whenever an automatically adjusting turbine meter is being tested at a steady flow rate of 10% or more of the meter's rated capacity and indicates an error of plus or minus 1% or more, the meter shall be cleaned and/or repaired.

History: Cr. Register, February, 1959, No. 38, eff. 3-1-59; am. (4), Register, November, 1962, No. 83, eff. 12-1-62; am. (1), Register, January, 1965, No. 109, eff. 2-1-65; am. (4) and cr. (6), Register, April, 1969, No. 160, eff. 5-1-69; cr. (7) to (9), Register, December, 1984, No. 348, eff. 1-1-85.

PSC 134.31 Request and referee tests. (1) Each utility furnishing gas service shall make a test of the accuracy of any gas meter upon request of the customer, provided the customer does not request such test more frequently than once in 6 months. A report giving the results of each request test shall be made to the customer and the complete, original record shall be kept on file in the office of the utility.

(2) Any gas meter may be tested by a commission inspector upon written application of the customer. For such test, a fee shall be forwarded to the commission by the customer with the application. The amount of this fee shall be refunded to the customer by the utility if the meter is found to be more than 3% fast. The amount of the fee that is to be remitted for such tests shall be \$5 for each consumption meter that has a rated capacity not exceeding 1,000 cubic feet per hour; for larger consumption meters, demand meters, etc., the test fee shall be the actual expense of the test.

(3) All request and referee meter tests shall include an inspection of the meter index by removing the index from the meter body. The dials, gears and all other parts of the index shall be visually inspected for wear, misalignment or other mechanical defects which would affect the accuracy of the meter on a continuing or sporadic basis. Any defects affecting the meter's accuracy shall be noted and evaluated in the report of the test.

History: Cr. Register, February, 1959, No. 38, eff. 3-1-59; cr. (3), Register, July, 1983, No. 331, eff. 8-1-83; am. (2), Register, December, 1984, No. 348, eff. 1-1-85.