

CR 83-132

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Revisor of Statutes  
Bureau

CERTIFICATE

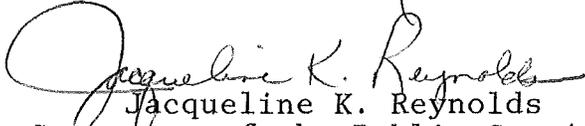
STATE OF WISCONSIN )  
 ) ss.  
PUBLIC SERVICE COMMISSION )

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 relating to renumbering of secs. PSC 113.131(7)-(14), 134.061(7)-(14), 165.051(6)-(13) and 185.36(6)-(13), Wis. Adm. Code, and creation of secs. PSC 113.131(7), 134.061(7), 165.051(6) and 185.36(6) was duly approved and adopted by this commission on March 5, 1985.

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 14<sup>th</sup> day of March, 1984.

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

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DATE MAILED  
MAR - 7 1985

COMPARED WITH AND CERTIFIED BY ME  
TO BE A FULL, TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE IN MY OFFICE.  
MAR - 6 1985  
*Jequeilia K. Reynolds*  
Secretary to the Commission  
Public Service Commission of Wisconsin

BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN

Rules Concerning Use of )  
Customer Deposits to )  
Satisfy Arrearages )

1-AC-58



ORDER OF THE PUBLIC  
SERVICE COMMISSION OF WISCONSIN  
ADOPTING RULES

Relating to renumbering of secs. PSC 113.131(7)-(14),  
134.061(7)-(14), 165.051(6)-(13) and 185.36 (6)-(13), Wis. Adm.  
Code, and creation of secs. PSC 113.131(7), 134.061(7), 165.051(6)  
and 185.36(6), allowing utilities to deduct arrearages from  
customer deposits.

ANALYSIS PREPARED BY THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN

On September 15, 1983, the public service commission  
held hearing into the adoption of rules which would specifically  
allow utilities to use customer deposits to satisfy arrearages.  
The rules specifically cover three situations: (1) A customer  
deposit may be used by a utility to satisfy an arrearage occurring  
after the deposit was made; (2) If a deposit is used to cover a  
customer arrearage, the utility can require the customer to bring  
the deposit up to its original level; and (3) At the time the  
deposit is refunded the utility may first deduct any arrearages  
owed by the customer, whether arising prior to or after the date  
of the deposit.

STATUTORY AUTHORITY

Pursuant to authority vested in the public service commission by secs. 196.02(1), 196.03, and 196.37(2), Stats., and interpreting those provisions, the commission adopts the following rules:

SECTION 1: Secs. PSC 113.131(7) to (14) are respectively renumbered 113-131(8)-(15).

SECTION 2: Sec. PSC 113.131(7) is created to read:

113.131(7) ARREARAGES. An arrearage owed by a customer may be deducted from the customer's deposit under the following conditions:

(a) A deposit may be used by the utility to satisfy an arrearage occurring after the deposit was made.

(b) If the utility deducts an arrearage from a customer deposit, it may require the customer to bring the deposit up to its original amount. Failure of the customer to do so within 20 days of mailing a written request for payment is ground for disconnection.

(c) When a deposit is refunded to the customer, the utility may first deduct any arrearage owed by the customer, whether the arrearage arose prior to or after the date of the deposit.

SECTION 3: Secs. PSC 134.061(7) to (14) are respectively renumbered 134.061(8)-(15).

SECTION 4: Sec. PSC 134.061(7) is created to read:

134.061(7) ARREARAGES. An arrearage owed by a customer may be deducted from the customer's deposit under the following conditions.

(a) A deposit may be used by the utility to satisfy an arrearage occurring after the deposit was made.

(b) If the utility deducts an arrearage from a customer deposit, it may require the customer to bring the deposit up to its original amount. Failure of the customer to do so within 20 days of mailing a written request for payment is ground for disconnection.

(c) When a deposit is refunded to the customer, the utility may first deduct any arrearage owed by the customer, whether the arrearage arose prior to or after the date of the deposit.

SECTION 5: Secs. PSC 165.051(6) to (12) are respectively renumbered 165.051(7)-(14).

SECTION 6: Sec. PSC 165.051(6) is created to read: 165.051(6) ARREARAGES. An arrearage owed by a customer may be deducted from the customer's deposit under the following conditions:

(a) A deposit may be used by the utility to satisfy an arrearage occurring after the deposit was made.

(b) If the utility deducts an arrearage from a customer deposit, it may require the customer to bring the deposit up to its original amount. Failure of the customer to do so within 20 days of mailing a written request for payment is ground for disconnection.

(c) When a deposit is refunded to the customer, the utility may first deduct any arrearage owed by the customer, whether the arrearage arose prior to or after the date of the deposit.

SECTION 7: Secs. PSC 185.36(6) to (13) are respectively renumbered 185.36(7)-(14).

SECTION 8: Sec. PSC 185.36(6) is created to read: 185.36(6) ARREARAGES. An arrearage owed by a customer may be deducted from the customer's deposit under the following conditions:

(a) A deposit may be used by the utility to satisfy an arrearage occurring after the deposit was made.

(b) If the utility deducts an arrearage from a customer deposit, it may require the customer to bring the deposit up to its original amount. Failure of the customer to do so within 20 days of mailing a written request for payment is ground for disconnection.

(c) When a deposit is refunded to the customer, the utility may first deduct any arrearage owed by the customer, whether the arrearage arose prior to or after the date of the deposit.

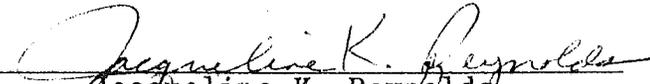
There will be no fiscal impact of these rules on the state or municipalities, and no impact on small business.

The rules have been forwarded to the legislature for review pursuant to sec. 227.018(2), Stats. They will take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided in s. 227.026, Stats.

Dated at Madison, Wisconsin

March 5, 1985

By the Commission.

  
Jacqueline K. Reynolds  
Secretary to the Commission



State of Wisconsin \ PUBLIC SERVICE COMMISSION

March 15, 1985

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MAR 18 1985

Revisor of Statutes  
Bureau

NESS FLORES, CHAIRMAN  
BRANKO TERZIC, COMMISSIONER  
MARY LOU MUNTS, COMMISSIONER  
4802 SHEBOYGAN AVENUE  
P.O. BOX 7854  
MADISON, WISCONSIN 53707

File No.

Mr. Gary Poulson  
Assistant Revisor of Statutes  
411 West, State Capitol  
Madison, Wisconsin 53702

1-AC-58  
83-132

Re: Rules Concerning Use of Customer  
Deposits to Satisfy Arrearages

Dear Mr. Poulson:

Enclosed please find two copies (one certified) of an order of the Public Service Commission adopting rules in the above-entitled matter.

The rules have been seen by legislative committees (sent January 4, 1985).

Sincerely,

Steven Levine  
Assistant Chief Counsel

SL:se

Enc.