

No. 497, S.]

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CHAPTER 637

AN ACT to renumber 196.81; and to create 196.81 (2) of the statutes, relating to abandonment of public utility right of way.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 196.81 of the statutes is renumbered 196.81 (1).

SECTION 2. 196.81 (2) of the statutes is created to read:

196.81 (2) The commission shall not approve a request by an electric or telephone utility for permission to abandon a right of way without requiring such utility to remove all poles at ground level and other structures extending over 3 feet above ground level belonging to such utility from the right of way when abandoned. In approving such requests the commission shall also require that the abandoned right of way or part thereof which is in a rural area and which was obtained by such utility by condemnation shall be disposed of by the utility within 3 years from the date of the approval of request for abandonment thereof, provided that upon application of such utility within 6 months prior to the end of said 3-year period the commission may remove such disposal requirement if it finds that the application thereof would subject the utility to undue hardship.

Approved August 15, 1957.