

Chapter PSC 133

**CONSTRUCTION AND INSTALLATION OF FACILITIES BY GAS COMPANIES**

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**PSC 133.01 Application of rules.** The following general order shall be observed by all public utilities, both privately and publicly owned, engaged in the manufacture, storage, transmission and/or distribution of gaseous fuel.

**PSC 133.015 Certificate of authorization.** (1) **MANUFACTURING PLANTS.** Unless and until the commission has issued a certificate of authorization therefor, no gas utility shall construct, install, or place in operation any new gas manufacturing plant or additional principal gas-manufacturing unit in a plant already in operation.

(2) **MAINS.** Unless and until the commission has issued a certificate of authorization therefor, no public utility shall construct or begin to construct, or install any mains or pipes for the purpose of transmission or distribution of gaseous fuel, except as exempted or provided for in sections PSC 133.02 and 133.03 following.

(3) **STORAGE FACILITIES.** Unless and until the commission has issued a certificate of authorization therefor, no public utility shall construct, install, or place in operation any new holder facilities for the purpose of storing gas in either a gaseous or liquid form.

**PSC 133.02 Exemptions.** The following may be installed without obtaining the above required certification from the commission:

- (1) Mains wholly laid within one municipality and in accordance with extension rules of the utility on file with the commission;
- (2) Mains required to be laid in compliance with the terms of a municipal ordinance adopted under the provisions of sections 62.16 and 196.58, Wis. Stats.

**PSC 133.03 Qualified exemptions.** The following may be installed without obtaining the above certification provided that specific exemption is granted by this commission before construction:

- (1) Main extensions not included in section PSC 133.02 (1) which are laid wholly within a municipality where the utility is serving;
- (2) Mains which are laid in accordance with the extension rules of the utility on file with the commission and which cross the boundary between two or more municipalities within the state in all of which the utility is serving;
- (3) Mains which connect two or more utilities which are already interconnected provided that no additional territory is served by such mains and provided that the connection is not located at and the mains do not cross any of the boundaries of the state.

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**PSC 133.04 Public convenience and necessity.** Unless and until the commission shall have certified that public convenience and necessity require the same, no public utility furnishing gas to the public shall construct, install, or place in operation any new plant, equipment, property, or facilities or construct or install any extension, improvement, addition, or alteration to its existing plant, equipment, property, apparatus, or facilities for the purpose of connecting with or adapting its facilities to a new or different source or kind of gaseous fuel for sale to the public.

**PSC 133.05 Kind of gas, substitution.** Unless and until the commission shall have certified that public convenience and necessity require the same, no public utility furnishing gas to the public shall substitute one kind of gas to be sold to the public for another.

**PSC 133.06 Definition.** (1) The term "principal gas manufacturing unit" means any piece of equipment which is capable of generating or manufacturing gas with or without connection to other auxiliary apparatus.

(2) The term "municipality" means any town, village, or city.

**PSC 133.07 Conditions in orders.** If the commission in the issuance of any certificate of authorization shall attach conditions to such certificate, the acceptance of such certificate shall constitute an acceptance of all the conditions thereof.

*Note:* If any utility deems the conditions imposed in the certificate to be unreasonable, illegal, or improper, its remedy is to proceed for a hearing or rehearing as provided by section 196.405, Wis. Stats.

**PSC 133.08 Procedure.** An application for a certificate of authorization as contemplated by this order shall be filed with the secretary of the commission in triplicate and shall set out such information as will convey a full understanding of the circumstances surrounding and reasons justifying the proposed construction. The commission will require such additional information as it may deem necessary to pass upon the application.