

**Chapter PSC 184**

**CONSTRUCTION OF WATER PUBLIC UTILITIES**

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**PSC 184.01 Application of rules.** The following rules shall be observed by all public utilities, both privately and publicly owned, engaged in pumping, purification, storage, transmission and/or distribution of water for public use.

**PSC 184.015 Transmission and distribution mains.** Unless and until the commission has issued a certificate of authorization therefor, no water utility shall construct, acquire, or place in operation any main for the transmission and/or distribution of water for public use in any municipality in which said utility is not legally operating as the only water utility therein at the time of the proposed construction.

**PSC 184.02 Wells, pumping plants, purification plants, and storage reservoirs.** Unless and until the commission has issued a certificate of authorization therefor, no water utility shall construct or place in operation any new well, pumping plant, purification plant, or storage reservoir.

**PSC 184.03 Submission of information.** Each water utility shall advise the commission 30 days (unless the commission shall allow a shorter period) before making expenditures on the following class of projects:

(1) **TRANSMISSION AND DISTRIBUTION MAINS.** Any installation, construction, replacement, extension, or acquisition of mains in any municipality in which said utility is legally operating as the only water utility therein, which is estimated to involve gross property additions in excess of 25% of the existing investment in the corresponding class of plant in the same municipality or in excess of \$10,000, whichever is the smaller, provided that advice need not be given of any project of less than \$500.

(2) **ADDITIONS TO PUMPING PLANTS AND PURIFICATION PLANTS.** Any installation, construction, replacement or acquisition of additional units in present plants which is estimated to involve gross property additions in excess of 25% of the existing investment in the corresponding class of plant in the same municipality or in excess of \$10,000, whichever is the smaller, provided that advice need not be given of any project of less than \$500.

**PSC 184.04 Character of notice.** The advice to the commission referred to in section PSC 184.03 shall include a brief description of each project, an estimate of the gross cost and of the net increase in investment, a brief statement of the reasons for such construction, etc., and such other information as the commission may hereafter call

for. If any company prepares an annual budget or comprehensive plan for future work, the filing of a statement of such budget or plan containing the information specified above will usually constitute sufficient advice as to all projects included therein. The commission reserves the right to require a certificate of authorization for any of the work proposed under section PSC 184.03 when it believes such authorization to be in the public interest.

**PSC 184.05 Definitions.** (1) The term "water utility" as used in this general order means and embraces every corporation, company, individual, association, their lessees, trustees, or receivers appointed by any court, and every town, village or city that may own, operate, manage or control any plant or equipment within the state for the pumping, purification, storing, transmission, distribution, delivery and/or furnishing of water for public use directly or indirectly or for the public.

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

(3) The term "main" or "mains" shall mean any pipe, conduit or other conveyance through which water for public use may be transmitted or distributed. It shall include trenches or other structures in or upon which such pipe, conduit or other conveyance is carried, and also land, easements or other rights of occupancy or use requisite for the construction and operation of such pipe, conduit or other conveyance.

(4) The term "gross property additions" means the total cost of new material or equipment and the labor of installation thereof.

(5) The term "net increase in investment" means gross property addition less the net retirement of material or equipment removed from service. (Net retirement means gross retirement less salvage value.)

(6) The term "acquisition" as used herein refers only to the acquisition of a unit of plant in place and ready for operation and does not include the purchase of materials or equipment for later installation.

**PSC 184.06 Conditions in orders.** The commission in the issuance of certificates of authorization as contemplated by this order, may find it in the public interest that such certificates be issued upon conditions. Any certificates thus issued subject to condition must be accepted with the condition as attached.

*Note:* If any utility deems the conditions imposed in the certificate to be unreasonable, illegal or improper, its remedy is to request a hearing or rehearing at which such objections may be pointed out, and if the objectionable features are not stricken out by the commission, then an appeal should be taken.

**PSC 184.07 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 the reasons justifying the proposed acquisition, construction or extension. The commission reserves the right to call for such additional information as it may deem necessary.