

Chapter PSC 162

ADDITIONS, ACQUISITION AND IMPROVEMENT OF TELEPHONE UTILITY PLANT AND
SUBMISSION OF INFORMATION; SWITCHING AGREEMENTS

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Note: This chapter is unenforceable as the result of 2011 Wis. Act 22 and will be repealed.

History: Chapter PSC 162 as it existed on December 31, 1966 was repealed and a new chapter PSC 162 was created effective January 1, 1967.

PSC 162.01 Authorization to purchase utilities and to enter into new municipalities. Unless and until the commission has authorized the same, no utility shall:

(1) Purchase any other utility or service unit or exchange of any other utility.

(2) Extend facilities into any municipality in which there are no facilities of the telephone utility making the extension.

(3) Extend facilities in any municipality in which there is another telephone utility in operation and there is no written agreement on the division of territory.

History: Cr. Register, December, 1966, No. 132, eff. 1-1-67.

PSC 162.02 Information to be submitted. (1) Each telephone utility shall submit information with respect to the following improvement and extension of plant at least 60 days before commencement of work on gross property addition or before commencing acquisition as defined in s. PSC 162.07, estimated to involve gross property additions, as described in pars. (a) through (c), inclusive, in excess of 25% of the existing investment in the corresponding plant account in the same company or in excess of \$75,000 per project, whichever is the smaller, except that information need not be given for any project estimated to involve gross property additions of less than \$6,000:

(a) *Buildings.* Any construction, reconstruction, or acquisition of any building.

(b) *Central office equipment.* Any installation, replacement, or acquisition of central office equipment.

(c) *Outside plant.* Any installation, construction, replacement, or acquisition of exchange and toll pole line, aerial wires, underground conduit, underground cable, buried cable, aerial cable, or submarine cable. Also included are toll lines on new routes regardless of type of construction.

(2) In the event additional information is requested by the commission, the 60-day waiting period before commencement of work shall begin from the date the additional information is submitted.

History: Cr. Register, December, 1966, No. 132, eff. 1-1-67; am. (1) (intro.), Register, November, 1987, No. 383, eff. 12-1-87.

PSC 162.03 Form of information to be submitted. (1) SEPARATE PROJECT OR PROJECTS. An estimate of the gross cost of construction, location by exchange, brief reasons to support the necessity for the construction, and a brief description of the construction project.

(2) GROUPING OF PROJECTS—12-MONTH PERIOD. In lieu of filing information on a separate project basis, any utility may submit a list of projects to be started in a 12-month period. The information required by sub. (1) shall be furnished for each project listed as starting in a given 12-month period. In addition, the total cost of each project that extends beyond 12 months shall be shown. Such

12-month period need not be a calendar year, but if a telephone utility elects to submit such list on a calendar-year basis, the commission reserves the right to set the date of submittal. This right is reserved so that the lists can be investigated and processed in the most expeditious manner.

History: Cr. Register, December, 1966, No. 132, eff. 1-1-67.

PSC 162.04 Commission review of information submitted. Upon submittal of the information called for by this chapter, the commission may:

(1) Acknowledge receipt of and accept the information for filing, in which event, the telephone utility may proceed with the construction work, or

(2) Direct that no project or projects shown in the information submitted shall proceed until the commission, pursuant to s. 196.49 (3) (b), Stats., has certified that public convenience and necessity require such project or projects. If no action is taken by the commission within the 60-day waiting period prescribed in s. PSC 162.02, the telephone utility may proceed with the construction work.

History: Cr. Register, December, 1966, No. 132, eff. 1-1-67; correction in (2) made under s. 13.93 (2m) (b) 7., Stats., Register April 2007 No. 616.

PSC 162.05 Emergency work. Notwithstanding the filing requirements set forth above, a telephone utility may, in case of an emergency, proceed to do urgently necessary work, but within 30 days from the commencement of such work, it shall furnish the commission with information called for in s. PSC 162.03, together with an explanation of the emergency.

History: Cr. Register, December, 1966, No. 132, eff. 1-1-67.

PSC 162.06 Switching agreements. No telephone company operating in the state of Wisconsin shall enter into any arrangement or agreement for the switching of telephone calls at any exchange where the switching service covered by the proposed agreement is not already being performed without first securing the approval of the public service commission.

History: Cr. Register, December, 1966, No. 132, eff. 1-1-67.

PSC 162.07 Definitions. (1) The term “gross property additions” means the total cost of new material or equipment and the labor of installation thereof, plus all applicable overheads.

(2) 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.

History: Cr. Register, December, 1966, No. 132, eff. 1-1-67.

PSC 162.08 Removal of plant. Aerial telephone plant no longer used and useful for telephone service following additions of new plant or rearrangement of plant shall be removed within one year from the time the new or rearranged plant is placed in service. Upon application to the commission and for good cause shown, an extension of time beyond one year may be granted. Underground, buried or submarine plant that is no longer used and

useful for telephone service shall be removed at the discretion of the utility or as the commission may direct.

History: Cr. Register, December, 1973, No. 216, eff. 1-1-74.