



**ASSEMBLY AMENDMENT 2,
TO 2003 ASSEMBLY BILL 486**

September 25, 2003 – Offered by Representative MONTGOMERY.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 1: after “applications,” insert “petitions, and motions,”.

3 **2.** Page 2, line 2: after “applications,” insert “petitions, and motions,”.

4 **3.** Page 54, line 2: after that line insert:

5 “**SECTION 36g.** 196.195 (5m) of the statutes is created to read:

6 196.195 (5m) TIME LIMITATION ON COMMISSION ACTION. (a) The commission shall
7 promulgate rules establishing a deadline for completing proceedings under subs. (2),
8 (3), and (4), and for issuing orders under sub. (5). Upon receiving a petition under
9 sub. (2) (a), or upon providing notice of its own motion under sub. (2) (a), the
10 commission shall inform the interested persons of the deadline.

11 (b) If a petition is filed under sub. (2) (a), the commission shall, except as
12 provided in par. (d), no later than the deadline specified in the rules promulgated
13 under par. (a), complete the proceedings under subs. (2), (3), and (4), and, if

1 appropriate, enter an order under sub. (5). Except as provided in par. (d), if the
2 commission fails to complete the proceedings and, if appropriate, enter an order
3 before that deadline, the petition is considered to be granted without condition by the
4 commission and any provisions of law under sub. (5) that are specified in the petition
5 are considered to be suspended by the commission.

6 (c) If the commission provides notice of its own motion under sub. (2) (a), the
7 commission shall, no later than the deadline specified in the rules promulgated
8 under par. (a), complete the proceedings under subs. (2), (3), and (4), and, if
9 appropriate, enter an order under sub. (5). If the commission fails to complete the
10 proceedings and, if appropriate, enter an order before that deadline, the motion is
11 considered to be granted without condition by the commission and any provisions of
12 law under sub. (5) that are specified in the motion are considered to be suspended
13 by the commission.

14 (d) The commission may extend a deadline specified in the rules promulgated
15 under par. (a) if a petition that the commission receives is incomplete and if, within
16 30 days after receiving the petition, the commission provides written notice to the
17 petitioner that describes specifically the information that must be provided to
18 complete the petition.

19 **SECTION 36L.** 196.195 (10) of the statutes is amended to read:

20 196.195 (10) REVOCATION OF DEREGULATION. If necessary to protect the public
21 interest, the commission, at any time by order, may revoke its order to suspend the
22 applicability of any provision of law suspended under sub. (5). This subsection does
23 not apply to any provision of law that is considered to be suspended under sub. (5m).”

1 **4.** Page 74, line 20: delete “This act” and substitute “Except as provided in
2 subsection (2x), this act”.

3 **5.** Page 74, line 21: after that line insert:

4 “(2x) The treatment of section 196.195 (5m) and (10) of the statutes first applies
5 to proceedings initiated by petitions filed with the public service commission, or by
6 notices made on the public service commission’s own motion, on the effective date of
7 this subsection.”.

8

(END)