

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Modification of Rules on Extended Area Telephone Service 1-AC-200
Clearinghouse No.00-138

FINAL ORDER ADOPTING RULES

The Public Service Commission of Wisconsin (Commission) proposes an order to renumber and amend PSC 167.08(1); and to create PSC 167.02(1m), 167.08(1), (2)(b) and (3)(a) and (b); relating to extended area telephone service.

**ANALYSIS PREPARED BY THE
PUBLIC SERVICE COMMISSION OF WISCONSIN**

Statutory authority: ss. 196.02(3) and 227.11(2), Stats.

Statute interpreted: s. 196.37, Stats.

Extended area telephone service is a telephone service that allows customers in one exchange to call customers in other exchanges without incurring charges based on the duration of the call. Chapter PSC 167 contains the process for consideration of petitions seeking the establishment of extended area service (EAS) arrangements. One step in the process is to conduct a survey of customer willingness to pay the rate increase that would result if an EAS petition were granted.

The modification of these rules is intended to make the balloting process more clearly defined. The balloting process changes concern:

- Who will be surveyed.
- What information must be included in the ballot mailing.
- How to determine whether ballots have been timely submitted.
- How to ballot a customer with several telephone lines.
- When ballots will be counted.
- How unmarked ballots will be handled.

TEXT OF RULE?

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TEXT OF RULE

SECTION 1. PSC 167.02(1m) is created to read:

PSC 167.02(1m) "Customer" means a person billed for a class of telephone service.

Each billed account within either the business or residential classification, regardless of the number of lines included, shall be considered one customer. A billed account that includes both residential and business services, regardless of the number of lines included, shall be considered 2 customers.

SECTION 2. PSC 167.08(1) is renumbered 167.08(2)(a) and amended to read:

PSC 167.08(2)(a) Subsequent to the determination of the rate increments necessary to provide the requested extended area service, or a reasonable ~~variations~~ variation of the requested service, the commission shall direct the utilities to conduct a survey of customer willingness to pay the necessary rate increments. ~~The survey shall be approved by the commission and distributed to all customers who would experience a rate increase if the petition for extended area telephone service is granted.~~

SECTION 3. PSC 167.08(1) is created to read:

PSC 167.08(1) In this section, “customer” does not include any person who is provided with free local telephone service, or who for any reason would be exempt from a rate increase if extended area telephone service is approved.

SECTION 4. PSC 167.08(2)(b) is created to read:

PSC 167.08(2)(b) The survey ballot and accompanying information shall be approved by the commission. Ballots shall be mailed separately from the telephone bill and the words “Ballot Enclosed” shall appear on the front of the mailing. Ballots shall be addressed for return to the commission with no additional postage required. Ballots shall have space for the customer signature, printed name and telephone number. The information accompanying the ballot shall indicate:

1. The number of customers served by the balloted exchange at the time of balloting.
2. The number of “Yes” votes required to move the matter to hearing.
3. The date determined by the commission by which ballots must be postmarked or filed with the commission in order to be considered valid.

SECTION 5. PSC 167.08(3)(a) and (b) are created to read:

PSC 167.08(3)(a) Ballots shall be distributed to all customers who may experience a rate increase if the petition for extended area telephone service is granted.

(b) Ballots shall be counted by the commission no earlier than one week after the deadline for the postmark or filing of ballots in sub. (2)(b)3. Only official ballots shall be accepted. If a ballot is returned unmarked or incomplete, or if, in the commission’s judgment, the intent of the customer is not discernable from a ballot, the ballot shall not be counted as a “Yes” vote. Voting results, including preliminary totals, shall not be released prior to the official counting.

This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22 (2) (intro.), Stats.

Dated at Madison, Wisconsin, _____

By the Commission:

Lynda L. Dorr
Secretary to the Commission

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