

No. 573, S.]

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CHAPTER 432

AN ACT to repeal 185.505, as renumbered by chapter 368, laws of 1955 (Bill No. 140, A.); and to create 196.495 of the statutes, relating to avoidance of duplication in the extension of electric service by public utilities and electric co-operatives.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 185.505 of the statutes, as renumbered by chapter 368, laws of 1955, (Bill No. 140, A.), is repealed.

SECTION 2. 196.495 of the statutes is created to read:

196.495 AVOIDANCE OF DUPLICATION IN ELECTRIC FACILITIES. (1) No public utility, and no co-operative association organized under ch. 185 for the purpose of furnishing electric service to its members only, shall (a) extend or render electric service directly or indirectly to the premises of any person already receiving electric service directly or indirectly from another public utility or another such co-operative association, or (b) make a primary voltage extension to serve the premises of any person not receiving electric service and to which such service is available from the facilities of another public utility or another such co-operative association through a secondary voltage extension, unless the other public utility or co-operative association consents thereto in writing or unless the public service commission after notice to the interested parties and hearing finds and determines that the service rendered or to be rendered by such other public utility or co-operative association is inadequate and will not likely be made adequate, or that the rates charged therefor are unreasonable and are not likely to be made reasonable.

(2) No co-operative association shall extend any new electric service to the premises of any person inside a city or village in which city or village a public utility is rendering electric service under an indeterminate permit without the written consent of such public utility.

(3) Nothing contained herein shall preclude any public utility or any co-operative association from extending electric service to its own property or facilities or to another such co-operative association for resale.

(4) For the purpose of the enforcement of this section the commission shall have jurisdiction over and power to enforce orders relating to the extension of electric facilities hereunder by co-operative associations serving members only.

(5) As used in this section the term, "secondary voltage extension", means an extension normally constructed and operated at a voltage of not to exceed 600 volts. All other extensions shall be deemed primary extensions. The term, "person", shall have the meaning as given in s. 370.01 (26).

Approved July 21, 1955.
