



## 1995 ASSEMBLY BILL 725

December 12, 1995 - Introduced by Representatives HASENOHRL, R. POTTER, BRANCEL, LORGE, GRONEMUS, BOYLE and ROBSON, cosponsored by Senator A. LASEE. Referred to Committee on Agriculture.

1     **AN ACT to create** 182.0173 of the statutes; **relating to:** imposing certain  
2             requirements on public utilities providing electric utility services to customers  
3             who raise livestock.

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### *Analysis by the Legislative Reference Bureau*

This bill imposes certain requirements on electrical providers (including both public utilities and electrical cooperatives) who provide electric utility services to certain agricultural customers. Under the bill, any electrical provider that provides electric utility services to a customer who is commercially engaged in raising livestock must provide and install a spark gap isolator for each electrical service on premises where livestock are housed, if certain requirements are met. In order to have the spark gap isolators provided and installed, the customer must have hired an electrician and that electrician must have certified that the electrical systems on the customer's premises are wired in such a manner that the installation of a spark gap isolator will not create a significant safety hazard to persons, livestock or property on the customer's premises. The customer must have also provided written notice to the electrical provider requesting installation of spark gap isolators and providing a copy of the electrician's certification. If these requirements are met, the electrical provider must provide and install the spark gap isolators without charge to the customer within 10 working days after receiving the request. If requested by the customer, the electrical provider must use spark gap isolators with a minimum breakdown voltage of 1,000 volts. A customer may bring an action in any court of competent jurisdiction to enjoin any violation of, or to compel compliance with, these provisions. No showing of harm or injury is required for an injunction to be issued.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 182.0173 of the statutes is created to read:

2           **182.0173 Spark gap isolator requirements. (1) DEFINITIONS.** In this  
3 section:

4           (a) “Electrical provider” means any person, including a public utility under ch.  
5 196 and a cooperative association organized under ch. 185, who provides electric  
6 utility services to the public.

7           (b) “Electrician” means any electrical inspector, master electrician,  
8 journeyman electrician or beginning electrician certified by the department of  
9 industry, labor and human relations.

10          (c) “Livestock” has the meaning given in s. 95.68 (1).

11          (d) “Spark gap isolator” means a spark gap or device that performs an  
12 equivalent function, meeting the requirements under rule 97D2 of the National  
13 Electrical Safety Code, 1993 Edition.

14          **(2) DUTY TO INSTALL SPARK GAP ISOLATORS.** (a) Any electrical provider who  
15 provides electric utility services to a customer who is commercially engaged in  
16 raising livestock shall provide and install a spark gap isolator for each electrical  
17 service on premises where livestock are housed, if all of the following conditions are  
18 met:

19           1. The customer has hired an electrician and that electrician has certified that  
20 the electrical systems on the customer’s premises are wired in such a manner that

1 the installation of a spark gap isolator will not create a significant safety hazard to  
2 persons, livestock or property on the customer's premises.

3 2. The customer provides written notice to the electrical provider requesting  
4 installation of a spark gap isolator for the premises and providing a copy of the  
5 certification under subd. 1.

6 (b) The electrical provider shall provide and install the spark gap isolator under  
7 par. (a) without charge to the customer no later than the 10th business day after  
8 receipt of the notice under par. (a) 2.

9 (c) The customer may notify the electrical provider in writing that he or she  
10 requests the use of spark gap isolators with a minimum breakdown voltage of 1,000  
11 volts. If a written request is made under this paragraph, an electrical provider may  
12 only use spark gap isolators with a minimum breakdown voltage of 1,000 volts in  
13 complying with the requirements of this subsection.

14 **(3) ENFORCEMENT.** A customer may bring an action in any court of competent  
15 jurisdiction to enjoin any violation of, or to compel compliance with, this section. The  
16 customer need not show harm or injury resulting from the violation or  
17 noncompliance in order for the court to issue an injunction under this subsection.

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(END)