

State of Wisconsin



2013 Assembly Bill 596

Date of enactment:
Date of publication*:

2013 WISCONSIN ACT

AN ACT *to amend* 196.378 (3) (a) 1m., 196.49 (1) (am), 196.50 (1) (a) and 196.81 (3) (b); and *to create* 196.50 (1) (am) of the statutes; **relating to:** renewable resource credits, removal of certain natural gas service laterals, natural gas public utility service in municipalities, and granting rule-making authority.

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

SECTION 1. 196.378 (3) (a) 1m. of the statutes is amended to read:

196.378 (3) (a) 1m. The commission shall promulgate rules that allow an electric provider or customer or member of an electric provider to create a renewable resource credit based on use in a year by the electric provider, customer, or member of solar energy, including solar water heating and direct solar applications such as solar light pipe technology; wind energy; hydroelectric energy; geothermal energy; biomass; biogas; synthetic gas created by the plasma gasification of waste; densified fuel pellets described in sub. (1) (h) 1. i.; or fuel described in sub. (1) (h) 1. j.; but only if the use displaces the electric provider's, customer's, or member's use of electricity that is derived from conventional resources, and only if the displacement is verifiable and measurable, as determined by the commission. The rules shall allow an electric provider, customer, or member to create a renewable resource credit based on 100 percent of the amount of the displacement. The rules shall also allow an electric provider, customer, or member to create a renewable resource credit under this subdivision regardless of when the source used to create the credit was placed in service. The rules may not allow an electric provider to create

renewable resource credits under this subdivision based on renewable energy upon which renewable resource credits are created under subd. 1. The rules may also not allow an electric provider to create renewable resource credits under this subdivision based on hydroelectric energy that is not eligible for creating renewable resource credits under subd. 1.

SECTION 2. 196.49 (1) (am) of the statutes is amended to read:

196.49 (1) (am) ~~No~~ Except as provided in s. 196.50 (1) (am), no public utility not legally engaged in performing a utility service on August 1, 1931, in any municipality may commence the construction of any public utility plant, extension or facility, or render service in such municipality directly, or indirectly by serving any other public utility or agency engaged in public utility service or otherwise, unless the public utility has obtained a certificate from the commission authorizing it to transact public utility business.

SECTION 3. 196.50 (1) (a) of the statutes is amended to read:

196.50 (1) (a) ~~The~~ Except as provided in par. (am), the commission may not grant any person a license, permit or franchise to own, operate, manage or control any plant or equipment for the production, transmission, delivery or furnishing of heat, light, water or power in the municipality, if there is in operation under an indetermi-

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

nate permit a public utility engaged in similar service in the municipality, unless the person seeking the license, permit or franchise secures from the commission a declaration, after a public hearing of any interested party, that public convenience and necessity require the delivery of service by the applicant.

SECTION 4. 196.50 (1) (am) of the statutes is created to read:

196.50 (1) (am) The commission shall promulgate rules allowing a natural gas public utility to provide service in a municipality served by another natural gas public utility without first obtaining a certificate to serve that municipality under s. 196.49 (1) and this subsection if all of the following apply:

1. The natural gas public utilities enter into a territorial agreement regarding areas to be served by each utility in the municipality.

2. The area to be served by the additional natural gas public utility is adjacent to a municipality the additional natural gas public utility is already authorized to serve.

3. The additional natural gas public utility will provide service only to a limited number of customers in the municipality.

SECTION 5. 196.81 (3) (b) of the statutes is amended to read:

196.81 (3) (b) A public utility's removal, at the request of a customer, of the customer's electric service drop or electric, natural gas, or steam service lateral, including any primary voltage or natural gas or steam line that is used exclusively to serve the customer requesting the removal.

SECTION 6. Initial applicability.

(1) REMOVAL OF NATURAL GAS LINES. The treatment of section 196.81 (3) (b) of the statutes first applies to removals that occur on the effective date of this subsection.

(2) RENEWABLE RESOURCE CREDITS. The treatment of section 196.378 (3) (a) 1m. of the statutes first applies to renewable resource credits created on the effective date of this subsection.
