

State of Wisconsin



2009 Assembly Bill 600

Date of enactment: **May 18, 2010**
Date of publication*: **June 1, 2010**

2009 WISCONSIN ACT 403

AN ACT *to amend* 196.20 (4) (d); and *to repeal and recreate* 196.20 (4) (c) of the statutes; **relating to:** authority of the Public Service Commission regarding fuel costs of certain electric public utilities and granting rule-making authority.

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

SECTION 1. 196.20 (4) (c) of the statutes is repealed and recreated to read:

196.20 (4) (c) 1. If an electric public utility has an approved fuel cost plan, the commission shall defer any under-collection or over-collection of fuel costs that are outside of the utility's symmetrical fuel cost annual tolerance, as established by the commission, for subsequent rate recovery or refund.

2. The commission may commence a proceeding to

adjust rates for an electric public utility outside of a general rate case proceeding if the utility's actual fuel costs are outside of the utility's fuel cost annual tolerance, as established by the commission.

3. Approval of a fuel cost plan and any rate adjustment for deferred fuel costs or refund of over-collected fuel costs shall be determined by the commission after opportunity for hearing.

SECTION 2. 196.20 (4) (d) of the statutes is amended to read:

196.20 (4) (d) The commission shall promulgate a rule to implement this subsection.

* Section 991.11, WISCONSIN STATUTES 2007-08 : 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 as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].