



LCRC
FORM 2

**WISCONSIN LEGISLATIVE COUNCIL
RULES CLEARINGHOUSE**

Scott Grosz
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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 16-084

AN ORDER to amend PSC 135.019 (1), relating to the adoption of federal pipeline safety regulations.

Submitted by **PUBLIC SERVICE COMMISSION**

12-09-2016 RECEIVED BY LEGISLATIVE COUNCIL.
01-06-2017 REPORT SENT TO AGENCY.

MSK:IAK

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2)(a)]

Comment Attached	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
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2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2)(c)]

Comment Attached	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
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3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
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4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]

Comment Attached	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
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5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
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6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2)(g)]

Comment Attached	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
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7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2)(h)]

Comment Attached	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
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Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated December 2014.]

2. Form, Style and Placement in Administrative Code

a. In the introductory clause for the proposed rule, the reference to "Wis. Admin. Code §" could be removed. The citation to "PSC 135.019 (1)" includes the designation "PSC", which can only be found in the Wisconsin Administrative Code. [ss. 1.02 (1) (Example) and 1.07 (2), Manual.]

b. A heading and entry should be inserted in the rule analysis for the summary of factual data and analytical methodologies, and for the analysis and supporting documents used to determine the effect on small business. If there is no information, the text should state that there is no information. [s. 1.02 (2) (a) (intro.) and 8. and 9., Manual.]

c. In s. PSC 135.019 (1), the proposed rule revises the incorporation by reference of material that was previously incorporated by reference from the Code of Federal Regulations. In the rule analysis, the agency should comment on its compliance with s. 227.21 (2), Stats., and s. 2.08 (4), Manual. [See also s. 2.08 (5) (Note), Manual.]