

Clearinghouse Rule 06-017

BEFORE THE

PUBLIC SERVICE COMMISSION OF WISCONSIN

In the Matter of the Proposed Repeal of Chapter PSC 98, Wis. Admin.
Code - Rules Within Meaning of and Pursuant to Section 300.304 of the
Regulations of the Price Commission

1-AC-211

ORDER ADOPTING PROPOSED REPEAL OF RULES

The Public Service Commission of Wisconsin adopts an order to repeal ch. PSC 98, Wis. Admin. Code, relating to rules adopted to meet all requirements in section 303.304 of the regulations of the Federal Price Commission in regard to increases in rates or charges of utilities, railroads, motor carriers, and carriers by water within the Public Service Commission's jurisdiction.

**ANALYSIS PREPARED BY
THE PUBLIC SERVICE COMMISSION OF WISCONSIN**

Statutory authority: ss. 196.02(3) and 227.11(2), Stats.

History of Chapter PSC 98

PSC Chapter 98 was created in Docket No. PC-1 on October 10, 1972. The rules were adopted to meet all requirements in section 303.304 of the regulations of the Federal Price Commission in regard to increases in rates or charges of utilities, railroads, motor carriers, and carriers by water within the Public Service Commission's jurisdiction. It was created in response to the creation of the Price Commission under the Economic Stabilization Act of 1970. The Price Commission was established by Executive Order No. 11627, 1971, by the Nixon

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Administration to stabilize prices. This was a time of freezes on the prices of all commodities and services offered for sale except the prices charged for raw agricultural products.

Present Status

The authority contained in the Economic Stabilization Act of 1970, as amended, to impose a system of mandatory wage and price controls expired on April 30, 1974, Executive Order No. 11781. Executive Order No. 11788 dated June 18, 1974, provided for the orderly termination of economic stabilization activities and in Section 10 revoked Executive Order No. 11627 of October 15, 1971. It also abolished the Cost of Living Council in Section 1.

Based upon this information there is not a need for the continued existence of Chapter PSC 98.

INITIAL REGULATORY FLEXIBILITY ANALYSIS

The rules being repealed are not expected to affect small business as defined in s. 227.114(1), Stats.

FISCAL ESTIMATE

This repeal of this rule has no fiscal impact. A completed Fiscal Estimate is attached.

TEXT OF PROPOSED RULE

Section 1. Ch. PSC 98 is repealed.

Section 2. **Effective Date.** This rule shall take effect on the first day of the first month following publication in the Wisconsin Administrative Register as provided in s. 227.22 (2) (intro.), Stats.

(end)

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THE COMMISSION ORDERS:

This rule shall take effect on the first day of the first month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2) (intro), Stats.

Dated at Madison, Wisconsin, _____

By the Commission:

Christy L. Zehner
Secretary to the Commission

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2005 Session				
<p>FISCAL ESTIMATE DOA-2048 N(R10/96)</p>	<p style="text-align: center;"> <input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> UPDATED <input type="checkbox"/> CORRECTED <input type="checkbox"/> SUPPLEMENTAL </p>			
<p>LRB or Bill No./Adm. Rule No. Ch. PSC 98 (1-AC-211)</p> <p>Amendment No. if Applicable</p>				
<p>Subject In the mater of a proposed repeal of Chapter PSC 98, Wis. Admin. Code – Rules within meaning of and pursuant to Section 300.304 of the regulations of the Price Commission.</p>				
<p>Fiscal Effect State: <input checked="" type="checkbox"/> No State Fiscal Effect Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> <input type="checkbox"/> Increase Existing Appropriation <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Appropriation <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Create New Appropriation </td> <td style="width: 50%; border: none; vertical-align: top;"> <input type="checkbox"/> Increase Costs - May be possible to Absorb Within Agency's Budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs </td> </tr> </table>		<input type="checkbox"/> Increase Existing Appropriation <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Appropriation <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Create New Appropriation	<input type="checkbox"/> Increase Costs - May be possible to Absorb Within Agency's Budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs	
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<p>Local: <input checked="" type="checkbox"/> No local government costs</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: none;"> 1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </td> <td style="width: 33%; border: none;"> 3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </td> <td style="width: 33%; border: none;"> 5. Types of Local Governmental Units Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others _____ <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts </td> </tr> </table>		1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Governmental Units Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others _____ <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
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<p>Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S</p>	<p>Affected Ch. 20 Appropriations 20.155 (1) (g)</p>			
<p>Assumptions Used in Arriving at Fiscal Estimate</p> <p>The Price Commission was established in 1970 under the Economic Stabilization Act of 1970. The Act was created to help stabilize prices. The authority contained in the Act to impose a system of mandatory wage and price controls expired April 30, 1974. There does not appear to be a need for the continued existence of the Chapter. Elimination of the chapter does not have any fiscal effect on state or local government.</p>				
<p>Long-Range Fiscal Implications NONE</p>				
<p>Agency/Prepared by: (Name & Phone No.) Gordon Grant 267-9086</p>	<p>Authorized Signature/Telephone No. Gordon Grant</p>	<p>Date 11/10/2005</p>		