

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

<b>1. Type of Estimate and Analysis</b> <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	<b>2. Date</b> January 3, 2018
<b>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable)</b> PSC 114, Wisconsin State Electrical Code, Volume 1	
<b>4. Subject</b> Electric Safety: The Public Service Commission of Wisconsin (Commission) is adopting the latest National Electrical Safety Code (NESC) into Volume 1 of the Wisconsin State Electrical Code (WSEC).	
<b>5. Fund Sources Affected</b> <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	<b>6. Chapter 20, Stats. Appropriations Affected</b>
<b>7. Fiscal Effect of Implementing the Rule</b> <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget <input type="checkbox"/> Decrease Cost	
<b>8. The Rule Will Impact the Following (Check All That Apply)</b> <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b>	
<b>9. Would Implementation and Compliance Costs Be Greater Than \$20 million?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>10. Policy Problem Addressed by the Rule</b> Volume 1 of the WSEC, codified in Wis. Admin. Code ch. PSC 114, is administered by the Commission. It deals with safety requirements for the installation, operation, and maintenance of primarily outdoor electric supply and communications lines and facilities used by utilities, including electric and telecommunications suppliers, railroads, and cable television providers.  As the 2017 edition of the NESC was issued in August 2016, the existing code administers an outdated version of the NESC. A corresponding revision of Wis. Admin. Code ch. PSC 114 is necessary to implement the latest edition of the national code and make any other necessary changes to update and improve the code.	
<b>11. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.</b> The Commission requested comments on the economic impact of the proposed rule through its publicly accessible Electronic Records Filing (ERF) System from interested parties including electric public utilities, the Wisconsin Utilities Association, Utility Workers Associations, the Wisconsin Federation of Cooperatives, the Wisconsin Cable Communications Association, the Wisconsin State Telecommunications, IBEW, the Municipal Electric Utilities of Wisconsin, and the State of Wisconsin Department of Safety and Professional Services. A technical advisory committee was appointed and met to recommend and discuss the rule changes.	
<b>12. Identify the local governmental units that participated in the development of this EIA.</b> Municipalities with municipal electric utilities.	
<b>13. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)</b> There are no estimated state fiscal effects from the draft revisions to PSC 114 Wisconsin State Electrical Code, Volume 1.  The majority of the recommended changes to Wis. Admin. Code ch. PSC 114 either update the NESC reference titles	

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and page numbers or provide minor clarifications to the existing rules based on the NESC-2017 edition. In addition, the NESC incorporated several revisions from the current Wis. Admin. Code ch. PSC 114 into the NESC-2017 edition; therefore, several revisions were no longer necessary and were repealed from Wis. Admin. Code ch. PSC 114.

The substantive changes to Wis. Admin. Code ch. PSC 114 are summarized as follows:

The creation of Wis. Admin. Code § PSC 114.114, relating to fire-extinguishing equipment, maintains a rule that was omitted in the NESC-2017 edition. This rule will eliminate confusion about whether fire-extinguishing equipment is required in unmanned stations.

The creation of Wis. Admin. Code § PSC 114.231 adds clarity to NESC Rule 231B1, relating to the “sufficient distance” of poles from curbs. Since 1977, the NESC has required that poles be at least six inches behind the face of the curb. This requirement was omitted in the NESC-2017 edition. This rule maintains this requirement.

The creation of Wis. Admin. Code §§ PSC 114.234 (12) and (13) adds the newly created NESC-2017 Table 234-6 and associated Footnote 3.

As drafted, the revised Wisconsin State Electrical Code, Volume 1 adopts national standards as state rule. Revisions to PSC 114 Wisconsin State Electrical Code, Volume 1 are primarily clarifications to the existing rules and do not impact state staff workload or electric utilities. Therefore, the revised rule is not anticipated to have a fiscal effect.

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14. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

This rulemaking will update provisions of the WSEC so that they are consistent with the NESC. This allows the Wisconsin code to be consistent with the latest best practices and with surrounding states.

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15. Long Range Implications of Implementing the Rule

This rulemaking provides for the continued oversight of an up-to-date WSEC. This rulemaking will update provisions of the WSEC so that they are consistent with the NESC. This allows the Wisconsin code to be consistent with the latest best practices and with surrounding states.

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16. Compare With Approaches Being Used by Federal Government

N/A

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17. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

This rulemaking adopts certain portions of the latest edition of the NESC. Minnesota automatically adopts each new NESC edition by reference. Michigan does not specifically adopt the NESC but effectively does so by referencing it as “standards of good practice.” Iowa adopts all but Part 4 and Illinois adopts sections of Part 1 and Parts 2 and 3.

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18. Contact Name

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19. Contact Phone Number

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**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

N/A

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes    No
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