## DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION NOTICE OF PROPOSED GUIDANCE DOCUMENTS

Pursuant to section 227.112 of the Wisconsin Statutes, the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) is hereby accepting comments on the proposed guidance document:

**Meeting Competition Check List** 

#### LOCATION OF PROPOSED GUIDANCE

Proposed guidance document may be reviewed by accessing: <a href="https://datcp.wi.gov/Pages/About\_Us/GuidanceDocuments.aspx">https://datcp.wi.gov/Pages/About\_Us/GuidanceDocuments.aspx</a>

#### SUBMITTING PUBLIC COMMENTS

Public comments on proposed or adopted guidance document may be submitted by accessing: <a href="https://datcp.wi.gov/Pages/About\_Us/GuidanceDocuments.aspx">https://datcp.wi.gov/Pages/About\_Us/GuidanceDocuments.aspx</a>

#### **DEADLINE FOR SUBMISSION**

The comment period will run no fewer than 21 days after the publication of this document in the Administrative Register.

#### **AGENCY PUBLICATION**

The attached guidance document contains statements or interpretations of law under the following applicable provisions of federal law or the applicable state statutory or administrative code provisions: Wis. Stat. ch. 100, Wis. Admin. Code, ch. 105.

#### **CERTIFICATION**

Pursuant to the authority delegated to me by the Secretary, I have reviewed the attached guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

Lara Sutherlin Administrator

Division of Trade and Consumer Protection



Wisconsin Department of Agriculture, Trade and Consumer Protection

Division of Trade and Consumer Protection

PO Box 8911, Madison, WI 53708-8911

Phone: 608-224-5164

Fax:608-224-4937

**GUIDANCE DOCUMENT** 

## **Meeting Competition Check List**

This guidance document is based on Wis. Stat. ch. 100 and chapter(s) ATCP 105 Wis. Admin. Code. This document is intended solely as guidance, and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations, and is not finally determinative of any of the issues addressed.

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See attached.

Hara Sutes	October 15, 2019
Lara Sutherlin - Administrator, Division of Trade and Consumer Protection	DATE

Contributors:

# TR-TP-21 (Rev 08/19)

### **MEETING COMPETITION CHECK LIST**

Statutory Reference: Wis. Stat § 100.30 (6) (a) 7 Wis. Stat. § 100.30 (2) (cj)

Res	pond	File #   ent: F	nvestigator: Respondent Location:	_	
Som marl		e Competition Factors I considered	for determining whether the claimed competitor(s) is(are) in the s	same	
1.		<ul> <li>Major shopping centers</li> <li>Schools</li> <li>Consumer motivation</li> <li>Other:</li> </ul>	aimed neighboring community		
2.			(approximate miles)		
		□ same city □ same	e metropolitan area        Other		
3.			espondents' station		
4.		"Good Faith" claim of meeting a competitor			
5.		Whether on an interstate or direct	route	<del></del>	
		, p	Competitor: Type of Station  Traditional gas station Convenience store "Hyper market" Travel center		
6.		Price and concentration of stations Name of station(s) in betwe	s in between claimed station for exception een		
7.		Effect on volume of gallons of not (e.g. written documentation from re	meeting the claimed competitors price espondent).		
8.		History of filing Notices of Meeting Competition (daily reports)			
9.		Other:			
		Case Summary:		, , , , , , , , , , , , , , , , , , , ,	
		Investigator Recommenda equately considered the above factor n" exception be ACCEPTED	s and recommend to my supervisor that the claim for the "meeti	ng	
		Investigator Signature	Date		
Г	AG	REE DISAGREE			
(with	J .	استا mendation)		Data	
Con	mant	•	Supervisor Signature	Date	