

Chapter PSC 15

COLLECTION OF FILING FEES WITH MOTOR
CARRIER APPLICATIONS

PSC 15.01	Changes in application	PSC 15.04	Leased authority
PSC 15.02	Amendment of applica- tion at hearing	PSC 15.05	Change in shipper
PSC 15.025	Licenses; assignment; amendment; fees.	PSC 15.06	Ownership of industry
PSC 15.03	Partnerships	PSC 15.07	Freight and passengers
		PSC 15.08	Conforming temporary interstate authority

PSC 15.01 Changes in application. (1) CERTIFICATES, LICENSES, AMENDMENTS. Except as provided in subsection (3) of this section, no change in classification or change which enlarges the scope of an application for a certificate, license, or amendment thereto may be made without fee after the application has been processed by the commission by:

- (a) Designating it to be set for hearing.
- (b) Designating it for temporary grant or grant without hearing.

(2) ASSIGNMENT OR LEASE. Except as provided in subsection (3) of this section, no change in the classification of an application for approval of assignment or lease of a license or certificate (whole or partial) may be made without fee after the application has been processed by the commission by:

- (a) Designating that it be set for hearing.
- (b) Designating it for temporary grant of authority or approval without hearing.

(3) GRANTS WITHOUT HEARING; CONTRACT CARRIERS. Where the applicant, within 30 days of a grant without hearing of a license or amendment to a license, seeks to amend his application without increasing the scope thereof, such amended application may be received and acted upon without formal hearing or additional fee. This procedure also applies when there is an order granting an assignment without hearing, except that the time within which the application may be amended is 20 instead of 30 days.

PSC 15.02 Amendment of application at hearing. Examiners may permit the following types of amendment of application at hearings, without additional fee:

- (1) Amendments which do not enlarge the scope of the application.
- (2) Amendments substituting another individual, partnership, or corporation as the applicant.

PSC 15.025 Licenses; assignment; amendment; fees. The simultaneous filing of more than one application does not avoid the payment of the statutory fee with each application except that, in contract motor carrier cases, only one fee shall be required when an application for assignment and an application for amendment are filed simultaneously by one applicant. However, even though such applications for assignment and for amendment are filed simultaneously by one

applicant, said applicant may elect to have the applications treated separately and pay the fees as though filed separately.

id ← *rc* **Note:** The above election can be made to avoid having an application for approval of assignment set for hearing when it would not otherwise be so set (see Wis. Adm. Code section PSC 2.80 (6)) but which would be set for hearing if filed with an application for amendment which would be set for hearing.

History: Cr. Register, November, 1963, No. 95, eff. 12-1-63.

PSC 15.03 Partnerships. Permanent change in the membership of a partnership requires assignment application with fee. (See opinions of attorney general Vol. XXXVI, Dec. 30, 1947.)

PSC 15.04 Leased authority. Applications for extensions or renewals of leases of motor carrier authority are to be treated as new applications under section 194.04(1) (b) and (c), Wis. Stats.

PSC 15.05 Change in shipper. Where a new shipper is substituted for a shipper whom the carrier is authorized to serve, an application for amendment of license with fee is required. A mere change in corporate name or trade name of the shipper may be made without formal application or fee.

PSC 15.06 Ownership of industry. Where an industry is named as the destination of a public contract carrier operation, a change in the ownership of the industry may be reflected in the license upon informal request of the licensee without formal application or fee.

PSC 15.07 Freight and passengers. An application for common carrier authority for both freight and passengers over the same route requires only one fee. If the routes are not identical, two fees are required.

PSC 15.08 Conforming temporary interstate authority. Conforming temporary interstate authority issued by this commission may be made permanent without further application or filing fee, as and when the interstate commerce commission issues corresponding permanent authority.