

2023-2024 Legislative Session



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Storm Water Utilities Under PSC Regulation?!?!

[Senate Bill 455](#) introduced by Senator Feyen and Representative Schraa would subject storm water utilities to the full authority of the Public Service Commission to regulate rates and services. This practice would be costly and time consuming, could redirect commercial or industrial fees to residential customers, may require construction authorization on stormwater projects, and could shift costs associated with EPA and DNR compliance with TMDL's and MS4 permitting. The League opposes this bill.

Please contact your legislators and convey your concerns. Here's some food for thought:

- Rates are already subject to review and oversight at the local level. Equivalent runoff units are calculated to address the stormwater issues fairly between residential, commercial, and industrial classes. If a business thinks that the costs are too high, they can raise those issues with their local elected officials who control the utilities.
- In addition to local control, there is already the option of PSC oversight. Any person or business can petition the PSC to review matters if they believe that rates are unreasonable or unnecessary.
- PSC review of rates is a time consuming and expensive process for local utilities. It requires retaining accountants, attorneys and engineers and formal contested hearings before the PSC.

In short, PSC review adds an expensive and unnecessary step for local utilities and takes control of local decisions away from local officials. Substantively, the reasons that costs have increased has been related to DNR requirements on TMDLs and stormwater management, as well as the need to control flooding events to protect homes , businesses, and infrastructure.