

14. Access to Public Records

14.1 Pursuant to Wisconsin Statutes 19.34 and Stoughton Municipal Code 3.08:

Wisconsin State Law and the Stoughton City Code requires each City entity authority to adopt, prominently display, and make available for inspection and copying at its offices, for the guidance of the public, a notice containing the description of its organization and the established times and places at which, the legal custodian of public records from whom, and the methods whereby, the public may obtain information and access to records in its custody, make request for records, or obtain copies of records, and the costs thereof. Except as otherwise provided by law, any requester has the right to inspect any record or document maintained by this authority.

Legal Custodian: The legal custodian of documents for Stoughton Utilities is Utilities Director Robert Kardasz. In his absence, the legal custodian is Utilities Operations Superintendent Sean Grady.

Time and Place for Access: The public may obtain information and access to records, make requests for records, or obtain copies of records in custody of this authority at the following places and times: Stoughton Utilities Administrative Office Building, Monday through Friday, 8:00am - 4:00pm.

Copies and Fees: All requests shall be assessed an administrative fee equal to the actual costs incurred by Stoughton Utilities to retrieve the records. Any requester has the right to receive a copy of the requested records, and SU shall provide photocopies or records to a requester, charged in the amount of \$0.10 per page.

Organization: Stoughton Utilities Director is the official administrator of all records in accordance with Wisconsin Statute 19.33 (1) and City Ordinance 3.08. The second in charge is Stoughton Utilities Operations Superintendent.

14.2 Access to customer information

The Municipal Utility Customer Privacy Law, 2013 Act 25 become effective on July 7, 2013. 2013 Act 25 created Wisconsin statute sec. 196.137, which prohibits municipal utilities from releasing customer information without the customer's consent except in specific situations.

This law takes precedence over other open-records laws. Previously, requests for customer information were subject to Wisconsin's open-records laws, and such information could not be withheld from disclosure. The new law provides that customer information is no longer subject to the open-records laws, and must be protected from disclosure.

Customer information is defined as "any information received from customers which serves to identify customers individually by usage or account status." Under this definition, all of the following information would be considered customer information: name, address, phone number, social security number, payment history, individual consumption or usage data, and billing information including past-due amounts associated with the account.

There are five exceptions included in 2013 Act 25 where customer data can be released without requiring customer consent.

- 1 Agents, vendors, partners, and affiliates of the municipal utility that are engaged to perform any services or functions for or on behalf of the utility. This may include other City departments.
- 2 Transmission and distribution utilities and operators within whose geographic service territory the customer is located.
- 3 The Public Service Commission of Wisconsin or any person whom the Commission authorizes by order or rule to receive the customer information.
- 4 An owner of a rental dwelling unit to whom the utility provides notice of past-due charges pursuant to sec. 66.0809(5) of the Wisconsin Statutes
- 5 Any person who is otherwise authorized by law to receive the customer information. This includes the police when the utility is served with a warrant or an administrative subpoena.

*Effective: 9/13/2013
Brian R. Hoops
Utilities Office & Information Systems Supervisor*