

Senate BILL NO. 107
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INTRODUCED BY _____

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE PROSPECTIVE GEOGRAPHICAL SCOPE OF PUBLIC UTILITIES; AMENDING SECTION 70-103, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 70-103, R.C.M. 1947, is amended to read as follows:

"70-103. "Public utility" defined. The term "public utility," within the meaning of this act, shall embrace every corporation, both public and private, company, individual, association of individuals, their lessees, trustees or receivers appointed by any court whatsoever, that now or hereafter may own, operate, or control any plant or equipment, or any part of a plant or equipment, within the state, for the production, delivery, or furnishing for or to other persons, firms, associations, or corporations, private or municipal, in Montana, neat, street-railway service, light, power in any form or by any agency, water for business, manufacturing, household use, or sewerage service, whether within the limits of municipalities, towns and villages, or elsewhere, telegraph or telephone service; and the public service commission is hereby invested with

1 full power of supervision, regulation, and control of such
2 utilities, subject to the provisions of this act, and to the
3 exclusion of the jurisdiction, regulation, and control of
4 such utilities by any municipality, town, or village."

5 Section 2. There is a new R.C.M. section numbered
6 70-103.1 that reads as follows:

7 70-103.1. Limitation on scope of activities. (1) Any
8 public utility receiving the protection of a monopoly
9 granted by this chapter shall not be permitted to engage in
10 any activities, business ventures, or commercial ventures
11 not directly related to the production, delivery, or
12 furnishing of utilities as set forth in section 70-103.

13 (2) Any public utility operating within the state of
14 Montana that currently conducts such activities, business
15 ventures, or commercial ventures or has entered into binding
16 contracts for commencing such activities, business ventures,
17 or commercial ventures, shall be permitted to continue such
18 activities provided that in no event shall such activities
19 be expanded beyond the scope existing at the time of the
20 effective date of this act.

-End-

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