

Senate Bill 301

In The Senate

January 28, 1981	Introduced and referred to Committee on Business and Industry.
February 13, 1981	Committee recommend bill do pass as amended.
February 16, 1981	Bill printed and placed on members' desks.
February 17, 1981	Second reading indefinitely postponed.

1 *Senate* BILL NO. 301
 2 INTRODUCED BY Dave Anderson

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT PERMITTING A PUBLIC
 5 UTILITY IN A RATE PROCEEDING TO IMMEDIATELY FILE AND CHARGE
 6 RATES TO COVER KNOWN AND MEASURABLE CHANGES IN COST OR
 7 EXPENSE ITEMS; AMENDING SECTION 69-3-302, MCA."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 69-3-302, MCA, is amended to read:
 11 "69-3-302. Changes in schedules. (1) No change shall
 12 be made in any schedule, including schedules of joint rates,
 13 except as approved by the commission or upon the passage of
 14 9 months.

15 (2) Notwithstanding any provision of this title to the
 16 contrary and notwithstanding the existence of and
 17 authorization for the office of consumer counsel, the rates,
 18 tolls, or charges set forth in any schedule filed with the
 19 commission pursuant to 69-3-301 shall become effective and
 20 be lawful rates, tolls, or charges for the utility service
 21 rendered 9 months after the date upon which the schedule was
 22 filed under the rules of practice and procedure for filing
 23 as adopted by the commission or upon commission approval,
 24 whichever shall occur first. However, if the rates, tolls,
 25 or charges become effective because of the passage of 9

1 months' time, the revenues collected thereunder shall be
 2 subject to rebate, plus interest at the rate of 10% per
 3 year, to the extent that the rates, tolls, or charges
 4 ultimately approved by the commission in its final decision
 5 produce revenues which are less than those collected under
 6 the filed schedules.

7 (3) Notwithstanding any provision of this title to the
 8 contrary, if, in a proceeding to increase utility rates, a
 9 public utility has filed a verified application setting
 10 forth known and measurable changes in an item or items of
 11 cost or expense, the public utility may immediately file and
 12 charge a schedule of rates, tolls, and charges that will
 13 cover such known and measurable changes computed upon the
 14 rate of return found appropriate by the commission by its
 15 last order setting rates for the public utility. The
 16 commission shall proceed to hear and determine all matters
 17 raised by the application and may order credit or rebate as
 18 provided in subsection (2) as a part of its final order."

-End-

-2- INTRODUCED BILL
 SB 301

Approved by Committee
on Business and Industry

1 SENATE BILL NO. 301
2 INTRODUCED BY DOVER, ANDREASON
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4 A BILL FOR AN ACT ENTITLED: "AN ACT PERMITTING A PUBLIC
5 UTILITY IN A GENERAL RATE PROCEEDING TO IMMEDIATELY FILE AND
6 CHARGE RATES TO COVER KNOWN AND MEASURABLE CHANGES IN COST
7 OR EXPENSE ITEMS; AMENDING SECTION 69-3-302, MCA."
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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 Section 1. Section 69-3-302, MCA, is amended to read:
11 "69-3-302. Changes in schedules. (1) No change shall
12 be made in any schedule, including schedules of joint rates,
13 except as approved by the commission or upon the passage of
14 9 months.
15 (2) Notwithstanding any provision of this title to the
16 contrary and notwithstanding the existence of and
17 authorization for the office of consumer counsel, the rates,
18 tolls, or charges set forth in any schedule filed with the
19 commission pursuant to 69-3-301 shall become effective and
20 be lawful rates, tolls, or charges for the utility service
21 rendered 9 months after the date upon which the schedule was
22 filed under the rules of practice and procedure for filing
23 as adopted by the commission or upon commission approval,
24 whichever shall occur first. However, if the rates, tolls,
25 or charges become effective because of the passage of 9

1 months' time, the revenues collected thereunder shall be
2 subject to rebate, plus interest at the rate of 10% per
3 year, to the extent that the rates, tolls, or charges
4 ultimately approved by the commission in its final decision
5 produce revenues which are less than those collected under
6 the filed schedules.
7 (3) Notwithstanding any provision of this title to the
8 contrary, if, in a GENERAL RATE proceeding to increase
9 utility rates, a public utility has filed a verified
10 application setting forth known and measurable changes in an
11 item or items of cost or expense, the public utility may
12 immediately file and charge a schedule of rates, tolls, and
13 charges that will cover such known and measurable changes
14 computed upon the rate of return OR RATE OF RECOVERY found
15 appropriate by the commission by its last order setting
16 rates for the public utility. The commission shall proceed
17 to hear and determine all matters raised by the application
18 and may order credit or rebate as provided in subsection (2)
19 WITH INTEREST AT THE RATE OF RETURN ON EQUITY GRANTED IN THE
20 LAST GENERAL RATE ORDER as a part of its final order."

-End-

SECOND READING