

HOUSE BILL NO 657

2/04 Introduced
2/04 Referred to Business & Labor
2/20 Hearing
Died in Committee

1 HOUSE BILL NO. 657
 2 INTRODUCED BY Kadan Connelly
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 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO LIMIT PUBLIC
 5 UTILITIES TO ONE REQUEST A YEAR FOR A CHANGE IN A RATE
 6 SCHEDULE FOR A UTILITY SERVICE UNLESS THE PUBLIC SERVICE
 7 COMMISSION ALLOWS ADDITIONAL REQUESTS; AMENDING SECTION
 8 69-3-302, MCA."

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

11 Section 1. Section 69-3-302, MCA, is amended to read:
 12 "69-3-302. Changes in schedules -- limitation on
 13 filings. (1) No change shall be made in any schedule,
 14 including schedules of joint rates, except as approved by
 15 the commission or upon the passage of 9 months. If the
 16 9-month time period expires prior to commission approval of
 17 a schedule, a utility may waive the time period.

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

1 as adopted by the commission or upon commission approval,
 2 whichever shall occur first, unless the utility waives the
 3 9-month time period. However, if the rates, tolls, or
 4 charges become effective because of the passage of 9 months'
 5 time, the revenues collected thereunder shall be subject to
 6 rebate, plus interest at a per-annum rate determined by the
 7 commission, to the extent that the rates, tolls, or charges
 8 ultimately approved by the commission in its final decision
 9 produce revenues which are less than those collected under
 10 the filed schedules. In the case of an investor-owned
 11 utility, the interest rate set by the commission may not
 12 exceed the cost of equity capital as last determined by the
 13 commission.

14 (3) A utility may file only one request during a
 15 calendar year for a change in any schedule of rates filed
 16 with the commission for a utility service unless the
 17 commission determines that additional filings are
 18 justifiable and necessary.

19 ~~(3)~~(4) The commission may prescribe rules necessary to
 20 effectively administer this section."

21 NEW SECTION. Section 2. Extension of authority. Any
 22 existing authority of the public service commission to make
 23 rules on the subject of the provisions of this act is
 24 extended to the provisions of this act.

-End-

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INTRODUCED BILL
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