

FIRST REGULAR SESSION

# HOUSE BILL NO. 541

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WILLOUGHBY.

Read 1<sup>st</sup> time February 20, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1869L.011

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### AN ACT

To amend chapter 386, RSMo, by adding thereto one new section relating to utilities.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 386, RSMo, is amended by adding thereto one new section, to be known as section 386.374, to read as follows:

**386.374. Notwithstanding any other provisions of this chapter or any law to the contrary, the public service commission may consider ability to pay as a factor in setting residential utility rates, and terms for service for electric corporations and gas corporations by approving, upon the terms and conditions in an application proposed by the electric or gas corporation, programs for low-income residential ratepayers in order to ensure affordable, reliable, continuous service to such low-income utility customers. The commission may also approve energy efficiency, weatherization, and evaluation components as part of such programs. Nothing in this section, or any other provision of law, shall prohibit an electric or gas corporation from agreeing to different terms and conditions as part of a unanimous agreement and stipulation or allowing for such costs associated with any low-income program proposed by the electric or gas corporation to be recovered through any rate proceeding. Nothing in this section shall be construed as diminishing the commission's existing authority to approve on an experimental basis low-income assistance programs proposed by an electric or gas corporation.**