

FIRST REGULAR SESSION

HOUSE BILL NO. 810

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE NASHEED.

Read 1st time February 8, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1847L.03I

AN ACT

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

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
2 known as section 386.950, to read as follows:

386.950. 1. Any electrical corporation that is a public utility regulated by the
2 **Missouri public service commission under this chapter shall be subject to the requirements**
3 **of this section.**

4 **2. If an electrical corporation fails to provide electrical service for a period of at**
5 **least forty-eight hours to any customer who is being charged for electrical service to a**
6 **private, noncommercial residence, then such corporation shall provide that customer with**
7 **a fifty dollar credit to the customer's account and credit the account for any actual costs,**
8 **including but not limited to hotel costs and repair costs incurred by the customer as a**
9 **result of the failure to provide electrical service. The customer shall provide proof of**
10 **actual costs incurred under this subsection. The maximum credit awarded under this**
11 **subsection shall not be more than three hundred dollars per customer.**

12 **3. If an electrical corporation fails to provide electrical service for a period of at**
13 **least one week to any customer who is being charged for electrical service to a private,**
14 **noncommercial residence, then such corporation shall provide that customer with a one**
15 **hundred dollar credit to the customer's account and credit the account for any actual costs,**
16 **including but not limited to hotel costs and repair costs incurred by the customer as a**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 failure to provide electrical service. The customer shall provide proof of actual costs
18 incurred under this subsection. The maximum credit awarded under this subsection shall
19 not be more than five hundred dollars per customer.

20 4. Subsections 2 and 3 of this section shall not apply if the failure to provide
21 electrical service is a result of the customer's failure to pay for electrical utilities.

22 5. The Missouri public service commission shall promulgate rules to implement the
23 provisions of this section. Any rule or portion of a rule, as that term is defined in section
24 536.010, RSMo, that is created under the authority delegated in this section shall become
25 effective only if it complies with and is subject to all of the provisions of chapter 536,
26 RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are
27 nonseverable and if any of the powers vested with the general assembly under chapter 536,
28 RSMo, to review, to delay the effective date, or to disapprove and annul a rule are
29 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
30 proposed or adopted after August 28, 2007, shall be invalid and void.

31 6. All cases and controversies arising under this section and any complaints alleging
32 violations of this section shall be heard in accordance with the procedures before the public
33 service commission and courts specified in this chapter.

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