

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 0207, Page 21, Section 393.1075, Line
2 1 by inserting prior to all of said Section and Line the following:

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4 "393.130. 1. Every gas corporation, every electrical corporation, every water corporation, and
5 every sewer corporation shall furnish and provide such service instrumentalities and facilities as
6 shall be safe and adequate and in all respects just and reasonable. All charges made or demanded
7 by any such gas corporation, electrical corporation, water corporation or sewer corporation for
8 gas, electricity, water, sewer or any service rendered or to be rendered shall be just and reasonable
9 and not more than allowed by law or by order or decision of the commission. Every unjust or
10 unreasonable charge made or demanded for gas, electricity, water, sewer or any such service, or in
11 connection therewith, or in excess of that allowed by law or by order or decision of the
12 commission is prohibited.

13 2. No gas corporation, electrical corporation, water corporation or sewer corporation shall
14 directly or indirectly by any special rate, rebate, drawback or other device or method, charge,
15 demand, collect or receive from any person or corporation a greater or less compensation for gas,
16 electricity, water, sewer or for any service rendered or to be rendered or in connection therewith,
17 except as authorized in this chapter, than it charges, demands, collects or receives from any other
18 person or corporation for doing a like and contemporaneous service with respect thereto under the
19 same or substantially similar circumstances or conditions.

20 3. No gas corporation, electrical corporation, water corporation or sewer corporation shall
21 make or grant any undue or unreasonable preference or advantage to any person, corporation or
22 locality, or to any particular description of service in any respect whatsoever, or subject any
23 particular person, corporation or locality or any particular description of service to any undue or
24 unreasonable prejudice or disadvantage in any respect whatsoever.

25 4. Nothing in this section shall be taken to prohibit a gas corporation, electrical
26 corporation, water corporation or sewer corporation from establishing a sliding scale for a fixed
27 period for the automatic adjustment of charges for gas, electricity, water, sewer or any service
28 rendered or to be rendered and the dividends to be paid stockholders of such gas corporation,

1 electrical corporation, water corporation or sewer corporation; provided, that the sliding scale
2 shall first have been filed with and approved by the commission; but nothing in this subsection
3 shall operate to prevent the commission after the expiration of such fixed period from fixing
4 proper, just and reasonable rates and charges to be made for service as authorized in sections
5 393.110 to 393.285.

6 5. No water corporation shall be
7 permitted to charge any municipality or fire protection district a rate for the placing and providing
8 of fire hydrants for distribution of water for use in protecting life and property from the hazards of
9 fire within such municipality or fire protection district. Nothing herein shall prevent such water
10 corporation from including the cost of placement and maintenance of such fire hydrants in its cost
11 basis in determining a fair and reasonable rate to be charged for water. Any such fee or rental
12 charge being made for such fire hydrants whether by contract or otherwise at the time this act shall
13 take effect may remain in effect for a period of one hundred twenty days after this section shall
14 take effect.

15 6. In any home rule city with more than four hundred thousand inhabitants and located in
16 more than one county, any deposits held by the city for any water or sewerage services provided to
17 a customer at any premises shall accrue interest if the customer is current in payments for water
18 and sewerage services and if the city has held the deposit for two or more years. Interest for each
19 year, or part thereof, shall accrue at the rate set for six month United States treasury bills effective
20 December thirty-first of the preceding year. For any deposit held by the city on or before the
21 December thirty-first prior to August 28, 2002, if that deposit is still held by the city on the
22 December thirty-first one year next following August 28, 2002, interest accruing pursuant to this
23 section from the effective date shall be credited to the customer's individual account, or paid to the
24 customer, at the city's discretion.

25 7. In every rate case, the commission's final order shall include findings of fact and
26 conclusions of law adopting a class cost of service schedule which provides the cost of service for
27 every class of ratepayer and the percentage each ratepayer class shall pay above or below their
28 cost of service.

29 8. (1) The class cost of service schedule and percentage each ratepayer class must pay
30 above or below their cost of service in the commission's final order shall be published at least
31 three times in a newspaper of general circulation in every county in which the electrical
32 corporation services any single ratepayer. Such notice shall include the following explanation of
33 the class cost of service chart:

34 THE PUBLIC SERVICE COMMISSION RECENTLY APPROVED NEW ELECTRIC
35 RATES IN YOUR COUNTY. THIS CHART EXPLAINS HOW THE NEW RATES WERE
36 DISTRIBUTED AMONGST THE VARIOUS RATEPAYER CLASSES. THE TERM "CLASS

1 COST OF SERVICE" IS USED TO CALCULATE THE COSTS OF PROVIDING ELECTRIC
2 SERVICE TO EACH RATEPAYER CLASS. THE PERCENTAGE INCREASE OR
3 DECREASE FOR EACH RATEPAYER CLASS IS USED TO EXPLAIN HOW MUCH
4 ABOVE OR BELOW THE COST OF SERVICE EACH RATEPAYER CLASS MUST PAY.
5 ANY DISPARITY BETWEEN CLASS COST OF SERVICE AND ACTUAL CHARGES TO
6 EACH RATEPAYER CLASS IS WITHIN THE TOTAL DISCRETION OF THE PUBLIC
7 SERVICE COMMISSION AND YOUR ELECTRIC SERVICE PROVIDER HAS NO
8 AUTHORITY ON THE DISTRIBUTION OF COSTS AMONGST RATEPAYER CLASSES.

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10 (2) In addition to the explanation in subdivision (1) of this subsection, the commission
11 shall provide a description to the following effect:

12 (a) The residential ratepayer class includes Missouri households;

13 (b) The small general service class includes small businesses;

14 (c) The large general service class includes medium-sized retail businesses and office
15 buildings;

16 (d) The small primary service class includes large retail businesses and small
17 manufacturers;

18 (e) The large primary service class includes large industrial businesses;

19 (f) The large transmission service class is a single-entity ratepayer class limited to one
20 aluminum smelting facility.

21 9. At the next billing cycle after the commission has entered an order in a rate case, the
22 electric utility shall provide a substantially similar notice to that required by subsection 8 of this
23 section to each ratepayer via mail or electronic means."; and

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26 Further amend said bill, Page 24, Section 393.1075, Line 112 by inserting after all of said Section
27 and Line the following:

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29 "Section 1. 1. There is hereby created the "Ratepayer Taskforce", organized
30 for the purpose of studying the disparities in electric service rates paid by various ratepayer classes
31 and recommending policy changes to ensure an electric rate system that is fair, transparent, and
32 conducive to long-term economic growth. The taskforce shall report its recommendations to the
33 governor, speaker of the house, and president pro tem of the senate by December 1, 2011.

34 2. The taskforce shall be composed of the following fifteen members:

35 (1) Two majority party members and one minority party member of the house of
36 representatives to be appointed by the speaker of the house and the minority leader of the house,

1 respectively;

2 (2) Two majority party members and one minority party member of the senate to be
3 appointed by the president pro tem of the senate and minority leader of the senate, respectively;

4 (3) One representative of the governor’s office;

5 (4) One representative from the public service commission;

6 (5) One representative from the office of public counsel;

7 (6) One representative from the department of economic development;

8 (7) One representative from the department of social services;

9 (8) One small business owner appointed by the governor;

10 (9) One residential ratepayer appointed by the governor;

11 (10) One large primary service ratepayer appointed by the governor; and

12 (11) One large general service or small primary service ratepayer appointed by the
13 governor.

14 3. The governor’s office representative to the taskforce shall serve as the executive
15 director of the commission and shall be charged with setting appropriate meeting times for the
16 taskforce to conduct its business pursuant to this section.”; and

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18 Further amend said bill by amending the title, enacting clause, and intersectional references
19 accordingly.