

HOUSEAMENDMENT NO. ____Offered byof

1 AMEND House Bill No. 1358, Page 1, In the Title, Line 3, by
 2 deleting the words "infrastructure system replacement surcharges"
 3 and inserting in lieu thereof the word "utilities"; and
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5 Further amend said bill, Page 1, Section A, Line 2, by
 6 inserting after all of said line the following:

7 "386.715. 1. The public counsel shall, prior to the
 8 beginning of each fiscal year, make available to the commission
 9 an estimate of the expenses to be incurred by the public counsel
 10 during such fiscal year, reasonably attributable to his or her
 11 responsibilities under sections 386.700 and 386.710 and shall
 12 also separately estimate the amount of such expenses directly
 13 attributable to such responsibilities with respect to each of the
 14 following groups of public utilities: electrical corporations,
 15 gas corporations, water corporations, heating companies,
 16 telephone corporations, telegraph corporations, sewer
 17 corporations, and any other public utility as defined in section
 18 386.020, as well as the amount of such expenses not directly
 19 attributable to any such group.

20 2. The public counsel shall allocate to each such group of
 21 public utilities the estimated expenses directly attributable to
 22 his or her responsibilities under sections 386.700 and 386.710
 23 with respect to such group and an amount equal to such proportion
 24 of the estimated expenses not directly attributable to any group
 25 as the gross intrastate operating revenues of such group during
 26 the three preceding calendar years bears to the total gross
 27 intrastate operating revenues of all public utilities subject to
 28 the jurisdiction of the commission during such calendar years.
 29 The commission shall then assess, on behalf of the public

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1 counsel, the amount so allocated to each group of public
2 utilities, subject to reduction as provided in this section, to
3 the public utilities in such group in proportion to its
4 respective gross intrastate operating revenues during the
5 preceding calendar year. The amount assessed shall not exceed
6 one-eighth of one percent. Nothing in this section shall
7 authorize the commission to determine how the public counsel
8 allocates the estimated expenses directly attributable to his or
9 her responsibilities under sections 386.700 and 386.710 or how
10 the assessment imposed under this section is spent by the public
11 counsel.

12 3. On behalf of the public counsel, the commission shall
13 render a statement of such assessment to each such public utility
14 on or before July first and the amount so assessed to each such
15 public utility shall be paid by it to the director of revenue in
16 full on or before July fifteenth next following the rendition of
17 such statement, except that any such public utility may at its
18 election pay such assessment in four equal installments not later
19 than the following dates next following the rendition of such
20 statement, to wit: July fifteenth, October fifteenth, January
21 fifteenth, and April fifteenth. The director of revenue shall
22 remit such payments to the state treasurer.

23 4. The state treasurer shall credit such payments to a
24 special fund, which is hereby created, to be known as "The Public
25 Counsel Fund", which fund, or its successor fund created under
26 section 33.571, shall be devoted solely to the payment of
27 expenditures actually incurred by the public counsel and
28 attributable to his or her responsibilities under sections
29 386.700 and 386.710. Any amount remaining in such special fund
30 or its successor fund at the end of any fiscal year shall not
31 revert to the general revenue fund, but shall be applicable to
32 the payment of such expenditures of the public counsel in the
33 succeeding fiscal year and shall be applied by the public counsel
34 to the reduction of the amount to be assessed to such public
35 utilities in such succeeding fiscal year, such reduction to be
36 allocated to each group of public utilities in proportion to the
37 respective gross intrastate operating revenues of the respective

1 groups during the preceding calendar year.

2 5. In order to enable the public counsel to make the
3 allocations and assessments provided for in this section, each
4 public utility subject to the jurisdiction of the commission
5 shall file with the commission on or before March thirty-first of
6 each year, a statement under oath showing its gross intrastate
7 operating revenues for the preceding calendar year, and if any
8 public utility shall fail to file such statement within the time
9 established in this subsection, the commission shall estimate
10 such revenue. Such estimate shall be binding on such public
11 utility for the purpose of this section.

12 6. (1) The commission, on behalf of the public counsel,
13 may adopt rules establishing charges for copies of papers and
14 records, official documents, and orders filed, certified copies
15 of evidence and proceedings taken before the commission, and the
16 transmission by electronic transmittal of papers, records,
17 evidence and transcripts, diskettes, and other documents or
18 papers for which requests for copies are received. Fees charged
19 for copies of papers and records shall comply with the provisions
20 of section 610.026.

21 (2) No fees shall be charged or collected for copies of
22 papers, records, or official documents furnished to public
23 officers for use in their official capacity.

24 (3) All fees collected under subdivision (1) of this
25 subsection shall be deposited to the credit of the public counsel
26 fund from which the expenses of furnishing the copies listed in
27 subdivision (1) of this subsection are paid and shall be used by
28 the public counsel to offset such expenses."; and

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30 Further amend said title, enacting clause and intersectional
31 references accordingly.