

HOUSE**AMENDMENT NO. ____****Offered by****of**

1 AMEND House Bill No. 1358, Page 1, Section A, Line 2, by
 2 inserting after all of said line the following:

3 "386.715. 1. The public counsel shall, prior to the
 4 beginning of each fiscal year, make available to the commission
 5 an estimate of the expenses to be incurred by the public counsel
 6 during such fiscal year, reasonably attributable to his or her
 7 responsibilities under sections 386.700 and 386.710 and shall
 8 also separately estimate the amount of such expenses directly
 9 attributable to such responsibilities with respect to each of the
 10 following groups of public utilities: electrical corporations,
 11 gas corporations, water corporations, heating companies,
 12 telephone corporations, telegraph corporations, sewer
 13 corporations, and any other public utility as defined in section
 14 386.020, as well as the amount of such expenses not directly
 15 attributable to any such group.

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

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1 preceding calendar year. The amount assessed shall not exceed
2 one-eighth of one percent. Nothing in this section shall
3 authorize the commission to determine how the public counsel
4 allocates the estimated expenses directly attributable to his or
5 her responsibilities under sections 386.700 and 386.710 or how
6 the assessment imposed under this section is spent by the public
7 counsel.

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

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

35 5. In order to enable the public counsel to make the
36 allocations and assessments provided for in this section, each
37 public utility subject to the jurisdiction of the commission

1 shall file with the commission on or before March thirty-first of
2 each year, a statement under oath showing its gross intrastate
3 operating revenues for the preceding calendar year, and if any
4 public utility shall fail to file such statement within the time
5 established in this subsection, the commission shall estimate
6 such revenue. Such estimate shall be binding on such public
7 utility for the purpose of this section.

8 6. (1) The commission, on behalf of the public counsel,
9 may adopt rules establishing charges for copies of papers and
10 records, official documents, and orders filed, certified copies
11 of evidence and proceedings taken before the commission, and the
12 transmission by electronic transmittal of papers, records,
13 evidence and transcripts, diskettes, and other documents or
14 papers for which requests for copies are received. Fees charged
15 for copies of papers and records shall comply with the provisions
16 of section 610.026.

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

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

25
26 Further amend said title, enacting clause and intersectional
27 references accordingly.