

HOUSE BILL NO. 3436

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BOYKO.

7390H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 386, RSMo, by adding thereto two new sections relating to the regulation of public utilities.

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

Section A. Chapter 386, RSMo, is amended by adding thereto two new sections, to be known as sections 386.381 and 386.620, to read as follows:

386.381. Notwithstanding any other provision of law to the contrary, all ratemaking determinations by the commission shall be just and reasonable and shall also be based upon a finding that any change in a utility rate will not be unduly burdensome to the current affordability of utility services to customers. For purposes of this section, "just and reasonable", as it relates to a utility rate or charge, shall mean that the rate or charge shall result in the lowest possible ratepayer impact that is necessary for the utility to provide safe and adequate service.

386.620. 1. For purposes of this section, the following terms mean:

(1) "Commission", the Missouri public service commission;

(2) "Public utility", the same as defined in section 386.020.

2. Notwithstanding any provision of this chapter to the contrary, any public hearing by the commission held for the receipt of evidentiary testimony from members of the public for purposes of a general rate proceeding shall be subject to the following requirements:

(1) At least one local public hearing shall be reasonably close to the residence of each utility customer located within the geographical area served by the public utility proposing a rate increase in the general rate proceeding;

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.

11 **(2) Notice of the local public hearing shall be mailed to the physical address of**
12 **every utility customer under subdivision (1) of this subsection by first class mail and**
13 **shall be mailed at least fourteen days prior to the hearing;**

14 **(3) Any affected ratepayer from the proposed rate increase in the general rate**
15 **proceeding may testify at the public hearing and may file statements regarding the**
16 **subject matter of the hearing with the person or persons conducting the hearing;**

17 **(4) Any testimony or filed statements shall become part of the commission's**
18 **evidentiary record during the general rate proceeding under this section;**

19 **(5) The commission shall give each member of the public a reasonable amount of**
20 **time to testify before the commission during the public hearing; and**

21 **(6) In the general rate proceeding, the final order of the commission shall include**
22 **findings that describe how the commission's decision was impacted by the testimony and**
23 **comments received from members of the public during the public hearing.**

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