

By: Representative Ellis (By Request)

To: Public Utilities

HOUSE BILL NO. 1139
(As Passed the House)

1 AN ACT TO CREATE NEW SECTION 77-3-74, MISSISSIPPI CODE OF
2 1972, TO PROHIBIT THE COURTS FROM COLLATERALLY ATTACKING A PUBLIC
3 UTILITY'S LAWFULLY ESTABLISHED RATES AND SERVICE PROVISIONS; AND
4 FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. The following shall be codified as Section

7 77-3-74, Mississippi Code of 1972:

8 77-3-74. (1) Any rate or service provision established
9 pursuant to this article may be changed only as authorized by this
10 article and may not be subject to collateral attack in the courts.

11 For the purposes of this section, the term "service
12 provision" means any of a public utility's rules governing the
13 conduct of the public utility's business, as well as any term,
14 condition, standard, practice, provision or classification
15 relating in any way to the provision by a public utility of its
16 public utility service.

17 (2) This act shall stand repealed on July 1, 2001.

18 SECTION 2. This act shall take effect and be in force from
19 and after its passage.