

By: Ward, Moss

To: Local and Private
Legislation

HOUSE BILL NO. 587
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE TOWN OF WALNUT, MISSISSIPPI, TO
2 OPERATE ITS NATURAL GAS DISTRIBUTION SYSTEM WITHIN CERTAIN AREAS
3 OUTSIDE THE CORPORATE LIMITS OF THE TOWN OF WALNUT; AND FOR
4 RELATED PURPOSES.

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

6 SECTION 1. (1) (a) Notwithstanding any provisions of
7 Section 21-27-39, Mississippi Code of 1972, to the contrary, the
8 governing authorities of the Town of Walnut in Tippah County,
9 Mississippi, in their discretion, may construct, expand, operate
10 and maintain the natural gas distribution system of the Town of
11 Walnut within any area described in paragraph (b) of this
12 subsection (1), which is not certificated to another natural gas
13 utility for such service, or if certificated, upon obtaining a
14 release from that utility and a Certificate of Public Convenience
15 and Necessity from the Public Service Commission. Whenever such
16 natural gas utility service is furnished to any consumer residing
17 outside the corporate limits of the Town of Walnut, the consumer
18 may not be charged at a rate greater than twice the rate charged
19 for the same service within the corporate limits of the Town of
20 Walnut.

21 (b) The areas within which the Town of Walnut may
22 construct, expand, operate and maintain its natural gas system
23 pursuant to paragraph (a) of this subsection (1) are described as
24 follows:

25 **PARCEL NO. 1:**

26 Beginning at the Northwest Corner of Section 31,
27 Township 1 South, Range 5 East, a point on the existing

28 Certificated Service Area boundary and run thence East
29 2-1/4 mile; thence run South 1 mile; thence run West 3/4
30 mile; thence run South 1 mile; thence run West 1/2 mile
31 to the Northeast corner of Section 7, Township 2 South,
32 Range 5 East, thence run South 3 miles; thence West 1
33 mile to the Southwest Corner of Section 19, Township 2
34 South, Range 5 East, a point on the Tippah/Alcorn County
35 Boundary line; thence run North 5 miles along said
36 boundary line to the POINT OF BEGINNING, all lying and
37 being in Alcorn County, Mississippi, and containing
38 approximately 6-3/4 square miles.

39 **PARCEL NO. 2:**

40 Beginning at the Southeast Corner of Section 36,
41 Township 1 South, Range 4 East a point on the existing
42 Certificated Service Area boundary and the Tippah/Alcorn
43 County Boundary and run thence South 2-1/2 miles along
44 said boundary; thence leaving said boundary run West 2
45 miles; thence run South 2-1/2 miles to the Southwest
46 Corner of Section 26, Township 2 South, Range 4 East,
47 thence run East 1 mile; thence run South 1/2 mile;
48 thence run West 2 miles; thence run North 1/2 mile;
49 thence run West 1 mile to the Southwest Corner of
50 Section 28, Township 2 South, Range 4 East; a point on
51 the existing Certificated Service Area boundary; thence
52 run North 3 miles along said boundary; thence run East 2
53 miles along said boundary; thence run North 1-1/2 miles
54 along said boundary; thence run East 1 mile along said
55 boundary; thence run North 1/2 mile along said boundary;
56 thence run East 1 mile along said boundary to the POINT
57 OF BEGINNING; all lying and being in Tippah County,
58 Mississippi, and containing 11-1/2 square miles.

59 **PARCEL NO. 3:**

60 Beginning at Northwest Corner of Section 19, Township 2
61 South, Range 4 East a point on the existing Certificated
62 Service Area boundary and run thence South 1/2 mile;
63 thence run East 7/8 mile; thence run South 5/8 mile;
64 thence run West 1-1/4 mile; thence run North 1/2 mile;

65 thence run East 1/9 mile; thence run North 5/8 mile to
66 the Northwest Corner of Section 23, Township 2 South,
67 Range 3 East; thence continue North 1/2 mile; thence run
68 East 1-1/2 mile; thence run North 1/4 mile; thence run
69 East 1 mile to the existing Certificated Service Area
70 boundary; thence run South 3/4 mile along said boundary;
71 thence run West 1/2 mile along said boundary to the
72 POINT OF BEGINNING, all lying and being in Tippah
73 County, Mississippi, and containing approximately
74 3-17/64 miles.

75 **PARCEL NO. 4:**

76 Beginning at the Northeast Corner of the Northwest
77 Quarter of Section 6, Township 2 South, Range 4 East, a
78 point on the existing Certificated Service Area boundary
79 and run thence South along said boundary 1-1/2 mile;
80 thence, leaving said boundary, run West 2 miles; thence
81 run North 1/2 mile; thence run West 1/2 mile; thence run
82 North 1 mile to the Northwest Corner of Section 2,
83 Township 2 South, Range 3 East, a point on the existing
84 Certificated Service Area boundary; thence run East
85 2-1/2 miles along said boundary to the POINT OF
86 BEGINNING, all lying and being in Tippah County,
87 Mississippi, and containing approximately 3-1/2 square
88 miles.

89 **PARCEL NO. 5:**

90 Beginning at the Southeast Corner of Section 27,
91 Township 1 South, Range 3 East, a point on the existing
92 Certificated Service Area boundary and run thence West
93 along said boundary 1-1/2 miles; thence, leaving said
94 boundary run North 1-1/4 miles; thence run East 1/2
95 mile; thence run North 1/4 mile; thence run East 1/2
96 mile; thence run South 1 mile; thence run East 1/2 mile;
97 thence run South 1/2 mile to the POINT OF BEGINNING, all

98 lying and being in Tippah County, Mississippi, and
99 containing 1-5/8 square miles.

100 (2) The authority conferred by this act shall not be
101 construed as an exemption from the provisions of Section 77-3-1 et
102 seq., Mississippi Code of 1972. The Town of Walnut shall be
103 required to obtain from the Public Service Commission a
104 Certificate of Public Convenience and Necessity, obtain approval
105 of all rates and charges for providing natural gas service to
106 those areas which are more than one (1) mile outside its corporate
107 boundaries, and shall be otherwise subject to the jurisdiction of
108 the Public Service Commission as authorized by applicable law.

109 (3) The governing authorities of the Town of Walnut shall
110 make a reasonable effort to provide natural gas service to each
111 consumer within the distribution system who requests such service.
112 For the purpose of this subsection, the term "distribution
113 system" means all areas that are described in subsection (1)(b) of
114 this section.

115 (4) The governing authorities of the Town of Walnut shall
116 have a financial report on the natural gas distribution system
117 filed annually with the State Auditor for his review. The audited
118 financial statements shall be maintained in the office of the
119 system for public inspection and shall be made available to the
120 public during normal business hours.

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