HOUSE BILL NO. 1721
(As Sent to Governor)

AN ACT TO AUTHORIZE THE CITY OF OLIVE BRANCH TO OPERATE ITS
NATURAL GAS DISTRIBUTION SYSTEM WITHIN CERTAIN AREAS OUTSIDE THE
CORPORATE LIMITS OF THE CITY OF OLIVE BRANCH; AND FOR RELATED
PURPOSES.

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

SECTION 1. (1) Notwithstanding any provisions of Section
21-27-39, Mississippi Code of 1972, to the contrary, the governing
authorities of the City of Olive Branch in DeSoto County,
Mississippi, in their discretion, may construct, expand, operate
and maintain a natural gas distribution system to provide natural
gas service to the following described tract, if the area within
the tract is not certificated to another natural gas utility for
such service, or if certificated, upon obtaining a release from
that utility, or cancellation pursuant to Section 77-3-21,
Mississippi Code of 1972, and obtaining a certificate of public
convenience and necessity from the Public Service Commission.

Beginning at the northwest corner of the southwest
quarter of Section 5; Township 3 South; Range 6 West;
thence east 2.6 miles along the half section lines of
Sections 5, 4, and 3 to a point in the centerline of the
Coldwater River; then southwestward along the meanders
of the Coldwater River to the southwest corner of
Section 19; thence north 3.0 miles along the west line
of Sections 19, 18 and 7 to the northwest corner of
Section 7 and a point in Camp Creek Canal; thence north
2,640 feet along the centerline of said Canal to a point
on the half section line of Section 6; thence east 5,000
feet along the half section line to the point of
beginning, and containing 5,020 acres, more or less.

Whenever such natural gas utility service is furnished to any
consumer residing outside the corporate limits of the City of
Olive Branch, the consumer may not be charged at a rate greater
than twice the rate charged for the same service within the
corporate limits of the City of Olive Branch.

(2) The authority conferred by this act shall not be
construed as an exemption from the provisions of Chapter 3, Title
77, Mississippi Code of 1972. The City of Olive Branch shall be
required to obtain from the Public Service Commission a
certificate of public convenience and necessity, obtain approval
of all rates and charges for providing natural gas service to
those areas that are more than one (1) mile outside its corporate
boundaries, and otherwise shall be subject to the jurisdiction of
the Public Service Commission as authorized by applicable law.

(3) The governing authorities of the City of Olive Branch
shall provide natural gas service to each consumer within the
distribution system who requests such service. For the purpose of
this subsection, the term "distribution system" means all areas
that are described in subsection (1) of this section.

(4) The governing authorities of the City of Olive Branch
shall file annually with the State Auditor for his review a
financial report on the natural gas distribution system. The
audited financial statements shall be maintained in the office of
the system for public inspection and shall be made available to
the public during normal business hours.

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