

By: Little

To: Local and Private

SENATE BILL NO. 2372

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

38 **PARCEL NO. 2:**

39 Beginning at the Southeast Corner of Section 36, Township 1  
40 South, Range 4 East a point on the existing Certificated  
41 Service Area boundary and the Tippah/Alcorn County Boundary  
42 and run thence South 2 1/2 miles along said boundary; thence  
43 leaving said boundary run West 2 miles; thence run South 2  
44 1/2 miles to the Southwest Corner of Section 26, Township 2  
45 South, Range 4 East, thence run East 1 mile; thence run South  
46 1/2 mile; thence run West 2 miles; thence run North 1/2 mile;  
47 thence run West 1 mile to the Southwest Corner of Section 28,  
48 Township 2 South, Range 4 East; a point on the existing  
49 Certificated Service Area boundary; thence run North 3 miles  
50 along said boundary; thence run East 2 miles along said  
51 boundary; thence run North 1 1/2 miles along said boundary;  
52 thence run East 1 mile along said boundary; thence run North  
53 1/2 mile along said boundary; thence run East 1 mile along

54 said boundary to the POINT OF BEGINNING; all lying and being  
55 in Tippah County, Mississippi and containing 11 1/2 square  
56 miles.

57 **PARCEL NO. 3:**

58 Beginning at Northwest Corner of Section 19, Township 2  
59 South, Range 4 East a point on the existing Certificated  
60 Service Area boundary and run thence South 1/2 mile; thence  
61 run East 7/8 mile; thence run South 5/8 mile; thence run West  
62 1 1/4 mile; thence run North 1/2 mile; thence run East 1/9  
63 mile; thence run North 5/8 mile to the Northwest Corner of  
64 Section 23, Township 2 South, Range 3 East; thence continue  
65 North 1/2 mile; thence run East 1 1/2 mile; thence run North  
66 1/4 mile; thence run East 1 mile to the existing Certificated  
67 Service Area boundary; thence run South 3/4 mile along said  
68 boundary; thence run West 1/2 mile along said boundary to the  
69 POINT OF BEGINNING, all lying and being in Tippah County,  
70 Mississippi and containing approximately 3 17/64 miles.

71 **PARCEL NO. 4:**

72 Beginning at the Northeast Corner of the Northwest Quarter of  
73 Section 6, Township 2 South, Range 4 East, a point on the  
74 existing Certificated Service Area boundary and run thence  
75 South along said boundary 1 1/2 mile; thence, leaving said  
76 boundary, run West 2 miles; thence run North 1/2 mile; thence  
77 run West 1/2 mile; thence run North 1 mile to the Northwest  
78 Corner of Section 2, Township 2 South, Range 3 East, a point  
79 on the existing Certificated Service Area boundary; thence  
80 run East 2 1/2 miles along said boundary to the POINT OF  
81 BEGINNING, all lying and being in Tippah County, Mississippi

82 and containing approximately 3 1/2 square miles.

83 **PARCEL NO. 5:**

84 Beginning at the Southeast Corner of Section 27, Township 1  
85 South, Range 3 East, a point on the existing Certificated  
86 Service Area boundary and run thence West along said boundary  
87 1 1/2 miles; thence, leaving said boundary run North 1 1/4  
88 miles; thence run East 1/2 mile; thence run North 1/4 mile;  
89 thence run East 1/2 mile; thence run South 1 mile; thence run  
90 East 1/2 mile; thence run South 1/2 mile to the POINT OF  
91 BEGINNING, all lying and being in Tippah County, Mississippi  
92 and containing 1 5/8 square miles.

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

102 (3) The governing authorities of the Town of Walnut shall  
103 make a reasonable effort to provide natural gas service to each  
104 consumer within the distribution system who requests such service.

105 For the purpose of this subsection, the term "distribution  
106 system" means all areas that are described in subsection (1)(b) of  
107 this section.

108 (4) The governing authorities of the Town of Walnut shall  
109 have a financial report on the natural gas distribution system

110 filed annually with the State Auditor for his review. The audited  
111 financial statements shall be maintained in the office of the  
112 system for public inspection and shall be made available to the  
113 public during normal business hours.

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