

By: Little

To: Local and Private

SENATE BILL NO. 2372
(As Passed the Senate)

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.