MISSISSIPPI LEGISLATURE REGULAR SESSION 2003
By: Representative Moak To: Public Utilities

HOUSE BILL NO. 660

AN ACT TO AMEND SECTION 19-31-51, MISSISSIPPI CODE OF 1972,
TO PROVIDE THAT NOTICE MAY BE GIVEN BY PUBLICATION IN A NEWSPAPER
OF GENERAL CIRCULATION WITHIN THE COUNTY OR COUNTIES OF THE PUBLIC
IMPROVEMENT DISTRICT BY PUBLIC UTILITIES FOR CERTIFICATES OF
PUBLIC CONVENIENCE AND NECESSITY TO ANY PERSON FOR SERVICE IN
UNCERTIFICATED AREAS WITHIN PUBLIC IMPROVEMENT DISTRICT
BOUNDARIES; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 19-31-51, Mississippi Code of 1972, is
amended as follows:

19-31-51. (1) No public improvement district established
under this chapter shall provide any utility service described in
Section 77-3-3(d) to or for the public for compensation without
first obtaining a certificate of public convenience and necessity
from the Public Service Commission.

(2) Nothing contained in this section shall prohibit the
Public Service Commission from issuing a certificate of public
convenience and necessity to any person for service in
uncertificated areas within public improvement district
boundaries.

(3) Notwithstanding any law to the contrary, a public
utility that petitions the Public Service Commission for a
certificate of public convenience and necessity for any
uncertificated area shall give written notice. Such notice may be
given by publication in a newspaper of general circulation within
the county or counties wherein the described district is located
or by mail to all property owners, public improvement districts
and other public entities located in such area and shall give such
property owners and such governmental entities instructions on how
they may appear before the Public Service Commission and make any
objections or otherwise participate as an interested party.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2003.