

By: Representative Moak

To: Public Utilities

HOUSE BILL NO. 660

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

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

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

11 19-31-51. (1) No public improvement district established
12 under this chapter shall provide any utility service described in
13 Section 77-3-3(d) to or for the public for compensation without
14 first obtaining a certificate of public convenience and necessity
15 from the Public Service Commission.

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

21 (3) Notwithstanding any law to the contrary, a public
22 utility that petitions the Public Service Commission for a
23 certificate of public convenience and necessity for any
24 uncertificated area shall give written notice. Such notice may be
25 given by publication in a newspaper of general circulation within
26 the county or counties wherein the described district is located
27 or by mail to all property owners, public improvement districts
28 and other public entities located in such area and shall give such
29 property owners and such governmental entities instructions on how



30 they may appear before the Public Service Commission and make any
31 objections or otherwise participate as an interested party.

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

