

By: Senator(s) Robertson

To: Public Utilities

SENATE BILL NO. 2643

1 AN ACT TO AMEND SECTION 77-3-33, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT CASH DEPOSITS MADE BY CUSTOMERS WHICH ARE HELD BY ANY
3 PUBLIC UTILITY FOR ONE YEAR OR MORE SHALL EARN INTEREST AT A RATE
4 EQUAL TO THE PRIME RATE, AS PUBLISHED BY THE WALL STREET JOURNAL;
5 AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 77-3-33, Mississippi Code of 1972, is
8 amended as follows:

9 77-3-33. (1) No rate made, deposit or service charge
10 demanded or received by any public utility shall exceed that which
11 is just and reasonable. Such public utility, the rates of which
12 are subject to regulation under the provisions of this article,
13 may demand, collect and receive fair, just and reasonable rates
14 for the services rendered or to be rendered by it to any person.
15 Rates prescribed by the commission shall be such as to yield a
16 fair rate of return to the utility furnishing service, upon the
17 reasonable value of the property of the utility used or useful in
18 furnishing service.

19 (2) (a) Cash deposits made by customers which are held by
20 any public utility for one year or more shall earn interest at a
21 rate equal to the prime rate, as published by the Wall Street
22 Journal.

23 (b) All accrued interest held by a utility organization
24 shall be paid in cash or credited to the customer's account on or
25 before July 1st of each successive third year during which service
26 is connected. The principal sum of the cash deposit and any
27 unpaid interest shall be applied to the customer's final bill, and
28 any excess amount shall be paid to the customer in cash. Cash



29 deposits held for less than one (1) full year shall earn no
30 interest.

31 (3) Such utility shall furnish adequate, efficient and
32 reasonable service, and may establish reasonable rules governing
33 the conduct of its business and the conditions under which it
34 shall be required to render service. The commission may, after
35 hearing upon reasonable notice had, upon its own motion or upon
36 complaint, ascertain and fix just and reasonable standards,
37 regulations and practices of service which are to be furnished,
38 imposed, observed and followed by all public utilities. The
39 commission may require the service, rules and regulations of each
40 public utility to be filed with the commission and subjected to
41 its approval or to such changes therein as the commission
42 reasonably may require. Practices required or sanctioned pursuant
43 to the provisions hereof shall supersede other requirements of
44 law.

45 (4) Such utility may employ in the conduct of its business
46 suitable and reasonable classifications of its service, patrons,
47 rates, deposits and service charges. The classification may, in
48 any proper case, take into account the nature of the use, the
49 quantity and quality used, the time when used, the purpose for
50 which used, and any other reasonable consideration.

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

