

By: Representative Flagg

To: Public Utilities

HOUSE BILL NO. 688

1 AN ACT TO AMEND SECTIONS 21-27-9 AND 77-3-33, MISSISSIPPI
2 CODE OF 1972, TO REQUIRE THAT ALL ELECTRICITY METERS INDICATE
3 CLEARLY THE UNITS OF SERVICE FOR THE CHARGE THAT IS TO BE MADE TO
4 THE CUSTOMER; TO REQUIRE THAT ALL ELECTRICITY METERS BE DIGITAL BY
5 DECEMBER 31, 2006; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 21-27-9, Mississippi Code of 1972, is
8 amended as follows:

9 21-27-9. (1) If, upon complaint of any citizen or citizens
10 interested, the governing authorities of any municipality find
11 that there is reasonable ground for believing that any meter or
12 meters intended to measure or register the quantity of water,
13 electric light or power, or gas supplied or furnished by any
14 individual, company or corporation to the municipality or its
15 inhabitants is or are measuring or registering incorrectly or
16 excessively or is or are of a less candle power or degree of
17 brilliancy than required by contract, such governing authorities
18 may employ an expert, who shall examine and test said meter or
19 meters, or said light or lights, as the case may be, and report
20 back to said governing authorities, notice of the time and place
21 of the proposed test or tests being first given to all parties
22 interested. If such examination or test shall show the fact that
23 said meter or meters measure or register incorrectly or
24 excessively, or that said light or lights are of a less candle
25 power or brilliancy than required by contract, then all expenses
26 of such examination and test incurred by said municipal governing
27 authorities shall be charged against and collected back from said
28 individual, company or corporation supplying or furnishing such

29 water, electric light or power, or gas, as the case may be, and
30 such penalties may be imposed as the municipal ordinances may
31 provide.

32 (2) Each service meter for electricity shall indicate
33 clearly the units of service for the charge that is to be made to
34 the customer, and as of December 31, 2006, all electricity meters
35 utilized by municipalities shall be digital.

36 (3) The governing authorities of any municipality are
37 authorized to prosecute any person tampering with electric, gas or
38 water meters as provided in Section 97-25-3.

39 **SECTION 2.** Section 77-3-33, Mississippi Code of 1972, is
40 amended as follows:

41 77-3-33. (1) No rate made, deposit or service charge
42 demanded or received by any public utility shall exceed that which
43 is just and reasonable. Such public utility, the rates of which
44 are subject to regulation under the provisions of this article,
45 may demand, collect and receive fair, just and reasonable rates
46 for the services rendered or to be rendered by it to any person.
47 Rates prescribed by the commission shall be such as to yield a
48 fair rate of return to the utility furnishing service, upon the
49 reasonable value of the property of the utility used or useful in
50 furnishing service.

51 (2) Such utility shall furnish adequate, efficient and
52 reasonable service, and may establish reasonable rules governing
53 the conduct of its business and the conditions under which it
54 shall be required to render service. The commission may, after
55 hearing upon reasonable notice had, upon its own motion or upon
56 complaint, ascertain and fix just and reasonable standards,
57 regulations and practices of service which are to be furnished,
58 imposed, observed and followed by all public utilities. The
59 commission may require the service, rules and regulations of each
60 public utility to be filed with the commission and subjected to
61 its approval or to such changes therein as the commission

62 reasonably may require. Practices required or sanctioned pursuant
63 to the provisions hereof shall supersede other requirements of
64 law.

65 (3) Such utility may employ in the conduct of its business
66 suitable and reasonable classifications of its service, patrons,
67 rates, deposits and service charges. The classification may, in
68 any proper case, take into account the nature of the use, the
69 quantity and quality used, the time when used, the purpose for
70 which used, and any other reasonable consideration.

71 (4) All public utilities, which produce electricity as
72 defined under Section 77-3-3(d)(i), shall indicate clearly the
73 units of service on each electricity meter for the charge that is
74 to be made to the customer, and as of December 31, 2006, all
75 electricity meters utilized by public utilities shall be digital.

76 **SECTION 3.** This act shall take effect and be in force from
77 and after July 1, 2005.