

By: Representative Sullivan (By Request)

To: Public Utilities

HOUSE BILL NO. 1310

1 AN ACT TO AMEND SECTION 77-3-33, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THAT ANY PUBLIC UTILITY WHICH RECEIVES DEPOSITS SHALL KEEP
3 SUCH DEPOSITS IN A DESIGNATED SPECIAL ACCOUNT; AND FOR RELATED
4 PURPOSES.

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

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

8 77-3-33. (1) No rate made, deposit or service charge
9 demanded or received by any public utility shall exceed that which
10 is just and reasonable. Any public utility that receives deposits
11 shall keep the deposits in a designated special account and no
12 other funds, except for the deposits, shall be placed in the
13 special account. Such public utility, the rates of which are
14 subject to regulation under the provisions of this article, may
15 demand, collect and receive fair, just and reasonable rates for
16 the services rendered or to be rendered by it to any person.
17 Rates prescribed by the commission shall be such as to yield a
18 fair rate of return to the utility furnishing service, upon the
19 reasonable value of the property of the utility used or useful in
20 furnishing service.

21 (2) Such utility shall furnish adequate, efficient and
22 reasonable service, and may establish reasonable rules governing
23 the conduct of its business and the conditions under which it
24 shall be required to render service. The commission may, after
25 hearing upon reasonable notice had, upon its own motion or upon
26 complaint, ascertain and fix just and reasonable standards,
27 regulations and practices of service which are to be furnished,
28 imposed, observed and followed by all public utilities. The

29 commission may require the service, rules and regulations of each
30 public utility to be filed with the commission and subjected to
31 its approval or to such changes therein as the commission
32 reasonably may require. Practices required or sanctioned pursuant
33 to the provisions hereof shall supersede other requirements of
34 law.

35 (3) Such utility may employ in the conduct of its business
36 suitable and reasonable classifications of its service, patrons,
37 rates, deposits and service charges. The classification may, in
38 any proper case, take into account the nature of the use, the
39 quantity and quality used, the time when used, the purpose for
40 which used, and any other reasonable consideration.

41 **SECTION 2.** This act shall take effect and be in force from
42 and after July 1, 2005.