

**Adopted
AMENDMENT NO 1 PROPOSED TO**

House Bill No. 767

BY: Senator(s) Cuevas

1 **AMEND on line 16 by inserting "and amended" after "reenacted"**

2 **FURTHER, AMEND by inserting the following paragraph after**
3 **line 107:**

4 (e) Conduct or cause to be conducted an evaluation of
5 the need for a review and hearing before the Public Service
6 Commission on billing, rate and service disputes between a
7 customer and a water district lying within the three (3) coastal
8 counties affected by Hurricane Katrina in addition to the
9 voluntary arbitration process provided under Sections 19-5-177 and
10 77-3-6.

11 **FURTHER, AMEND by inserting the following section after line**
12 **157 and renumbering succeeding sections accordingly:**

13 **SECTION *.** (1) In addition to the voluntary review and
14 arbitration of billing, rate and service disputes between a water
15 district and a customer by the Public Service Commission as
16 provided under Sections 19-5-177 and 77-3-6, a customer may
17 petition the Public Service Commission to investigate, review and
18 hold a hearing on billing, rate and service disputes between the
19 customer and a water district as provided in this section.

20 (2) If a customer files a petition with the Public Service
21 Commission, the commission shall investigate, review and hold a
22 hearing on the dispute if the following conditions are met:

23 (a) The water district was formed under Section
24 19-5-151 et seq.;

25 (b) The water district had over four thousand (4,000)
26 water connections at the time of the dispute;

27 (c) The dispute is more than Two Thousand Five Hundred
28 Dollars (\$2,500.00) as provided in Section 77-3-6; and

29 (d) The water district lies within the three (3)
30 coastal counties affected by Hurricane Katrina.

31 (3) If the Public Service Commission determines that the
32 rates, charges or fees to be unjust, unreasonable or unreasonably
33 discriminatory, the rates, charges or fees shall be set aside and
34 the commission shall determine and fix such rates, charges or fees
35 as provided under Section 77-3-39.

36 **Further, amend the title on line 5, after the semicolon, by**
37 **inserting the following:**

38 TO AMEND SECTION 51-3-103, MISSISSIPPI CODE OF 1972, TO AUTHORIZE
39 THE WATER RESOURCES ADVISORY COUNCIL TO CONDUCT CERTAIN STUDIES;
40 TO PROVIDE THAT THE PUBLIC SERVICE COMMISSION SHALL REVIEW CERTAIN
41 DISPUTES BETWEEN CUSTOMERS AND CERTAIN WATER DISTRICTS LYING
42 WITHIN THE THREE COASTAL COUNTIES AFFECTED BY HURRICANE KATRINA;