

By: Senator(s) Dawkins

To: Appropriations

SENATE BILL NO. 2607

1 AN ACT TO AMEND SECTION 77-3-79, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT CHARITABLE OR CIVIC CONTRIBUTIONS MADE BY PUBLIC
3 UTILITIES SHALL NOT BE ALLOWED IN ANY AMOUNT AS COSTS OR EXPENSES
4 FOR RATE-MAKING PURPOSES; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 77-3-79, Mississippi Code of 1972, is
7 amended as follows:

8 77-3-79. The commission may require, by order served on any
9 public utility in the manner provided in this chapter for the
10 service of orders, the filing of such relevant reports,
11 information or data at such time and place as it may reasonably
12 designate.

13 The commission shall at all reasonable times have access to
14 and the right to inspect and examine all accounts, records,
15 memoranda and property of the public utilities, and it shall be
16 the duty of such public utilities to furnish to the commission,
17 within such reasonable time as the commission may order, any
18 information with respect thereto which the commission may by order
19 require, including copies of maps, contracts, reports of



20 engineers, and other data, records and papers, and to grant to all
21 agents of the commission free access to its property and accounts,
22 records and memoranda when requested so to do. It shall be
23 unlawful for any member, officer, agent or employee of the
24 commission knowingly and willingly to divulge any fact or
25 information which may come to his knowledge during the course of
26 any examination or inspection made under authority of this
27 chapter, except as he may be directed by the commission or by a
28 court or a judge thereof.

29 The commission shall require an annual reporting from each
30 public utility, the rates of which are subject to regulation under
31 the provisions of this chapter, of all its expenditures for
32 business gifts and entertainment, and institutional,
33 consumption-inducing and other advertising or public relations
34 expenses which the utility claims should be allowed for
35 rate-making purposes. The commission shall not allow as costs or
36 expenses for rate-making purposes any of these expenditures which
37 the commission determines not to be in the public interest. The
38 cost of legislative-advocacy expenses shall not in any case be
39 allowed as costs or expenses for rate-making purposes. * * *
40 Charitable or civic contributions shall not be allowed in any
41 amount as * * * costs or expenses for rate-making purposes.

42 The commission shall establish filing deadlines for any
43 required periodical reports but in no event shall the filing of
44 such reports exceed sixty (60) days from the due date established



45 by the commission. The commission shall have the authority to
46 extend by order the time of compliance upon a finding that a
47 matter of great urgency exists which would make compliance
48 inequitable. The order extending the time for compliance shall
49 fully set forth the facts justifying such extension. Any public
50 utility which does not furnish such reports, information or other
51 data by the deadlines established by the commission or within the
52 extended time authorized by the commission shall be fined not more
53 than One Thousand Dollars (\$1,000.00) per day for each day in
54 violation of the requirements herein that such reports,
55 information or other data are not furnished to the commission.

56 **SECTION 2.** This act shall take effect and be in force from
57 and after July 1, 2019.

