

By: Representative Powell

To: Public Utilities

HOUSE BILL NO. 1503

1 AN ACT TO BRING FORWARD SECTION 77-3-10.1, MISSISSIPPI CODE
2 OF 1972, WHICH RELATES TO APPLICATIONS FILED FOR A CERTIFICATE OF
3 PUBLIC CONVENIENCE AND NECESSITY TO BUILD, OWN OR OPERATE NEW
4 TRANSMISSION FACILITIES, FOR PURPOSE OF POSSIBLE AMENDMENT; AND
5 FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 77-3-10.1, Mississippi Code of 1972, is
8 brought forward as follows:

9 77-3-10.1. (1) In order to promote the policy declared in
10 Section 77-3-2 and to assure a local forum for landowner
11 safeguards, transparency and oversight of customer rates,
12 reliability and relief, an application filed under Section 77-3-11
13 or 77-3-14 for a certificate of public convenience and necessity
14 to build, own or operate a new transmission facility in a regional
15 transmission organization can only satisfy the public convenience
16 and necessity if such facilities will ultimately be owned by:

17 (a) An entity over which the commission has the
18 jurisdiction to set rates as described in Section 77-3-5 or
19 77-3-33;



20 (b) A "generation and transmission cooperative" or "G&T
21 cooperative" as defined in Section 77-5-256; or

22 (c) An entity that agrees to submit to commission
23 jurisdiction over its standards for service quality and customer
24 service and, as to costs ultimately to be borne by Mississippi
25 electric customers, agrees to recover through any applicable
26 transmission tariff only those costs, including the cost of
27 capital, approved by the commission.

28 (2) Nothing in this section shall apply to applications
29 filed before the effective date of this act, nor to any amendments
30 or supplements to such application made thereafter. Nothing in
31 this section shall be construed as requiring a certificate for
32 facilities that the commission has determined by rule do not
33 require certification to build, own or operate.

34 **SECTION 2.** This act shall take effect and be in force from
35 and after July 1, 2024.

