

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill No. 740, Page 15, Section 226.224, Line 5,

2 by inserting after all of said line the following:

3 "386.370. 1. The commission shall, prior to the
 4 beginning of each fiscal year beginning with the fiscal year
 5 commencing on July 1, 1947, make an estimate of the expenses
 6 to be incurred by it during such fiscal year reasonably
 7 attributable to the regulation of public utilities as
 8 provided in chapters 386, 392 and 393 and shall also
 9 separately estimate the amount of such expenses directly
 10 attributable to such regulation of each of the following
 11 groups of public utilities: electrical corporations, gas
 12 corporations, water corporations, heating companies and
 13 telephone corporations, telegraph corporations, sewer
 14 corporations, and any other public utility as defined in
 15 section 386.020, as well as the amount of such expenses not
 16 directly attributable to any such group. For purposes of
 17 this section, water corporations and sewer corporations will
 18 be combined and considered one group of public utilities.

19 2. The commission shall allocate to each such group of
 20 public utilities the estimated expenses directly
 21 attributable to the regulation of such group and an amount
 22 equal to such proportion of the estimated expenses not
 23 directly attributable to any group as the gross intrastate
 24 operating revenues of such group during the preceding
 25 calendar year bears to the total gross intrastate operating
 26 revenues of all public utilities subject to the jurisdiction

27 of the commission, as aforesaid, during such calendar year.
28 The commission shall then assess the amount so allocated to
29 each group of public utilities, subject to reduction as
30 herein provided, to the public utilities in such group in
31 proportion to their respective gross intrastate operating
32 revenues during the preceding calendar year, except that the
33 total amount so assessed to all such public utilities shall
34 not exceed three hundred fifteen thousandths of one percent
35 of the total gross intrastate operating revenues of all
36 utilities subject to the jurisdiction of the commission.

37 3. The commission shall render a statement of such
38 assessment to each such public utility on or before July
39 first and the amount so assessed to each such public utility
40 shall be paid by it to the director of revenue in full on or
41 before July fifteenth next following the rendition of such
42 statement, except that any such public utility may at its
43 election pay such assessment in four equal installments not
44 later than the following dates next following the rendition
45 of said statement, to wit: July fifteenth, October
46 fifteenth, January fifteenth and April fifteenth. The
47 director of revenue shall remit such payments to the state
48 treasurer.

49 4. The state treasurer shall credit such payments to a
50 special fund, which is hereby created, to be known as "The
51 Public Service Commission Fund", which fund, or its
52 successor fund created pursuant to section 33.571, shall be
53 devoted solely to the payment of expenditures actually
54 incurred by the commission and attributable to the
55 regulation of such public utilities subject to the
56 jurisdiction of the commission, as aforesaid. Any amount
57 remaining in such special fund or its successor fund at the
58 end of any fiscal year shall not revert to the general
59 revenue fund, but shall be applicable by appropriation of

60 the general assembly to the payment of such expenditures of
61 the commission in the succeeding fiscal year and shall be
62 applied by the commission to the reduction of the amount to
63 be assessed to such public utilities in such succeeding
64 fiscal year, such reduction to be allocated to each group of
65 public utilities in proportion to the respective gross
66 intrastate operating revenues of the respective groups
67 during the preceding calendar year.

68 5. In order to enable the [commission to make the]
69 allocations and assessments herein provided for, each public
70 utility subject to the jurisdiction of the commission as
71 aforesaid shall file with the commission, within ten days
72 after August 28, 1996, and thereafter on or before March
73 thirty-first of each year, a statement under oath showing
74 its gross intrastate operating revenues for the preceding
75 calendar year, and if any public utility shall fail to file
76 such statement within the time aforesaid the commission
77 shall estimate such revenue which estimate shall be binding
78 on such public utility for the purpose of this section.

79 6. The public counsel shall, prior to the beginning of
80 each fiscal year beginning with the fiscal year commencing
81 on July 1, 2024, make an estimate of the expenses to be
82 incurred by his office during such fiscal year reasonably
83 attributable to the performance of his powers, duties, and
84 functions pursuant to sections 386.700 and 386.710 and shall
85 also separately estimate the amount of such expenses
86 directly attributable to such duties for each of the
87 following groups of public utilities: electrical
88 corporations, gas corporations, water corporations, heating
89 companies and telephone corporations, telegraph
90 corporations, sewer corporations, and any other public
91 utility as defined in section 386.020, as well as the amount
92 of such expenses not directly attributable to any such

93 group. For purposes of this section, water corporations and
94 sewer corporations will be combined and considered one group
95 of public utilities.

96 7. The public counsel shall allocate to each such
97 group of public utilities the estimated expenses directly
98 attributable to the regulation of such group and an amount
99 equal to such proportion of the estimated expenses not
100 directly attributable to any group as the gross intrastate
101 operating revenues of such group during the preceding
102 calendar year bears to the total gross intrastate operating
103 revenues of all public utilities subject to the jurisdiction
104 of the commission, as aforesaid, during such calendar year.
105 The public counsel shall then assess the amount so allocated
106 to each group of public utilities, subject to reduction as
107 herein provided, to the public utilities in such group in
108 proportion to their respective gross intrastate operating
109 revenues during the preceding calendar year, except that the
110 total amount so assessed to all such public utilities shall
111 not exceed sixty-three thousandths of one percent of the
112 total gross intrastate operating revenues of all utilities
113 subject to the jurisdiction of the commission.

114 8. The public counsel shall render a statement of such
115 assessment to each such public utility on or before July
116 first and the amount so assessed to each such public utility
117 shall be paid by it to the director of revenue in full on or
118 before July fifteenth next following the rendition of such
119 statement, except that any such public utility may at its
120 election pay such assessment in four equal installments not
121 later than the following dates next following the rendition
122 of said statement, to wit: July fifteenth, October
123 fifteenth, January fifteenth and April fifteenth. The
124 director of revenue shall remit such payments to the state
125 treasurer.

126 9. The state treasurer shall credit such payments to a
127 special fund, which is hereby created, to be known as "The
128 Office of the Public Counsel Fund", which fund, or its
129 successor fund created pursuant to section 33.571, shall be
130 devoted solely to the payment of expenditures actually
131 incurred by the public counsel and attributable to the
132 regulation of such public utilities subject to the
133 jurisdiction of the commission, as aforesaid. Any amount
134 remaining in such special fund or its successor fund at the
135 end of any fiscal year shall not revert to the general
136 revenue fund, but shall be applicable by appropriation of
137 the general assembly to the payment of such expenditures of
138 the public counsel in the succeeding fiscal year and shall
139 be applied by the public counsel to the reduction of the
140 amount to be assessed to such public utilities in such
141 succeeding fiscal year, such reduction to be allocated to
142 each group of public utilities in proportion to the
143 respective gross intrastate operating revenues of the
144 respective groups during the preceding calendar year."; and
145 Further amend the title and enacting clause accordingly.