

FIRST REGULAR SESSION

# SENATE BILL NO. 653

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR CIERPIOT.

2582S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 386.370, RSMo, and to enact in lieu thereof one new section relating to the expenses incurred for the regulation of public utilities.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 386.370, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 386.370,  
3 to read as follows:

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

17 2. The commission shall allocate to each such group of  
18 public utilities the estimated expenses directly

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

19 attributable to the regulation of such group and an amount  
20 equal to such proportion of the estimated expenses not  
21 directly attributable to any group as the gross intrastate  
22 operating revenues of such group during the preceding  
23 calendar year bears to the total gross intrastate operating  
24 revenues of all public utilities subject to the jurisdiction  
25 of the commission, as aforesaid, during such calendar year.  
26 The commission shall then assess the amount so allocated to  
27 each group of public utilities, subject to reduction as  
28 herein provided, to the public utilities in such group in  
29 proportion to their respective gross intrastate operating  
30 revenues during the preceding calendar year, except that the  
31 total amount so assessed to all such public utilities shall  
32 not exceed three hundred [fifteen] **fifty** thousandths of one  
33 percent of the total gross intrastate operating revenues of  
34 all utilities subject to the jurisdiction of the commission.

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

47 4. The state treasurer shall credit such payments to a  
48 special fund, which is hereby created, to be known as "The  
49 Public Service Commission Fund", which fund, or its  
50 successor fund created pursuant to section 33.571, shall be

51 devoted solely to the payment of expenditures actually  
52 incurred by the commission and attributable to the  
53 regulation of such public utilities subject to the  
54 jurisdiction of the commission, as aforesaid. Any amount  
55 remaining in such special fund or its successor fund at the  
56 end of any fiscal year shall not revert to the general  
57 revenue fund, but shall be applicable by appropriation of  
58 the general assembly to the payment of such expenditures of  
59 the commission in the succeeding fiscal year and shall be  
60 applied by the commission to the reduction of the amount to  
61 be assessed to such public utilities in such succeeding  
62 fiscal year, such reduction to be allocated to each group of  
63 public utilities in proportion to the respective gross  
64 intrastate operating revenues of the respective groups  
65 during the preceding calendar year.

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

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