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Chapter No. 321

13/SS01/R104CS

CH 1 DW/SW

SENATE BILL NO. 2231

Originated in Senate

Liz Welch

Secretary

SENATE BILL NO. 2231

AN ACT TO AMEND SECTION 77-3-15, MISSISSIPPI CODE OF 1972, TO REMOVE THE AUTHORITY OF THE PUBLIC SERVICE COMMISSION TO REGULATE THE RATES OF UTILITIES WHEN MORE THAN ONE UTILITY, INCLUDING CO-OPERATIVES, OPERATE WITHIN A MUNICIPALITY; TO AMEND SECTION 77-3-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 77-3-15, Mississippi Code of 1972, is amended as follows:

77-3-15. Where there shall be two (2) or more persons holding certificates of convenience and necessity for similar operation in the same municipality, such operation may be carried on by such persons within their respective certificated areas and such persons shall be exempt from further application to the commission for extension of or additions to their facilities within their respective certificated areas of said municipality, including any extensions of the corporate limits thereof.

* * * Municipally operated utilities shall not be subject to regulation under this article.

SECTION 2. Section 77-3-5, Mississippi Code of 1972, is amended as follows:

77-3-5. Subject to the limitations imposed in this article and in accordance with the provisions hereof, the Public Service Commission shall have exclusive original jurisdiction over the intrastate business and property of public utilities. However, the commission shall not have jurisdiction over the production and gathering of natural gas or the sale of natural gas in or within the vicinity of the field where produced, or over the facilities and equipment utilized in any such operations, including, but not limited to, such facilities as separators, scrubbers and gasoline plants of all types. Moreover, the commission shall not have jurisdiction to regulate the rates for the sales and/or distribution:

(a) Of gas, water, electricity or sewage disposal services by municipalities to such persons as said municipalities are authorized by law to serve;

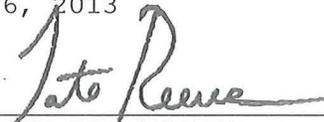
(b) Of gas or electricity by cooperative gas or electric power associations to the members thereof as consumers, except as provided by * * * Section 77-3-17, where service is rendered in a municipality;

(c) Of water or sewage disposal service by nonprofit corporations or associations where the governing body of such corporation or association is elected by the consumers thereof or appointed by the county board of supervisors; or

(d) Of water by districts organized under the provisions of Chapter 45, Laws of 1966-1967, Extraordinary Session.

SECTION 3. This act shall take effect and be in force from and after its passage.

PASSED BY THE SENATE
February 6, 2013



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
February 28, 2013



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

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