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Chapter No. 526
13/SS26/R850SG
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SENATE BILL NO. 2322

Originated in Senate *Jim Welch* Secretary

SENATE BILL NO. 2322

AN ACT TO AMEND SECTION 77-3-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2231, 2013 REGULAR SESSION, TO CLARIFY THAT THE PUBLIC SERVICE COMMISSION DOES NOT HAVE JURISDICTION OVER THE GOVERNANCE, MANAGEMENT OR OTHER INTERNAL AFFAIRS OF CERTAIN PUBLIC UTILITIES THAT PROVIDE WATER OR SEWER DISPOSAL SERVICE; TO PROVIDE THAT A MEMBER OF A MEMBER-OWNED RURAL WATER ASSOCIATION OR SYSTEM SHALL HAVE THE RIGHT TO ATTEND MEETINGS OF THE ASSOCIATION OR SYSTEM AND SHALL RECEIVE WRITTEN NOTICE OF ANY MEETING AT WHICH AN ELECTION OF BOARD MEMBERS WILL OCCUR; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 77-3-5, Mississippi Code of 1972, as amended by Senate Bill No. 2231, 2013 Regular Session, 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. Further, the commission shall not have jurisdiction over the governance, management or other internal affairs of entities as described by paragraph (c) below.

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

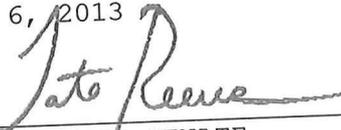
(d) Of water by districts organized under the provisions of Chapter 45, Laws of 1966-1967, Extraordinary Session.

SECTION 2. In addition to the rights prescribed in Section 79-11-177, a member of a member-owned rural water association or system, incorporated under Chapter 11, Title 79, Mississippi Code of 1972, shall have the right to attend regularly scheduled board meetings of the association or system. Further, if a meeting

pertains to the election of board members for the association or system, then the association or system shall provide written notice of the meeting by mail at least fifteen (15) days in advance of the meeting at which the election will occur. The written notice shall also be included on any association's or system's invoice or statement that is submitted to the member within thirty (30) days of the meeting.

SECTION 3. This act shall take effect and be in force from and after July 1, 2013.

PASSED BY THE SENATE
February 6, 2013



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 12, 2013



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

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