

SENATE SUBSTITUTE AMENDMENT NO. _____
FOR
SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill No. 190, Pages 46-48, Section 393.1650, Line _____,

2 by striking all of said section and inserting in lieu thereof the
3 following::

4 "393.1650. 1. This section applies to electrical
5 corporations that have elected to subject themselves to section
6 393.1275 or section 393.1400 and that have more than two hundred
7 thousand retail customers.

8 2. Notwithstanding any other provision of law and except as
9 otherwise provided for by this section, such an electrical
10 corporation's base rates shall be frozen starting on the date new
11 base rates were established in the electrical corporation's last
12 general rate proceeding concluded prior to the date the
13 electrical corporation gave a notice under either subsection 4 of
14 section 393.1275 or subsection 9 of section 393.1400 and ending
15 on the third anniversary of that date.

16 3. If the difference between the electrical corporation's
17 average base rates set in the electrical corporation's first
18 general rate proceeding concluding on or after such three-year

2 anniversary and the electrical corporation's average base rates
3 set in the electrical corporation's most recent general rate
4 proceeding concluded prior to the date the electrical corporation
5 gave a notice under either subsection 4 of section 393.1275 or
6 subsection 9 of section 393.1400 have increased by a compound
7 annual growth rate of more than three percent, the electrical
8 corporation shall establish a regulatory liability in the amounts
9 specified in subsection 5 of this section. The regulatory
10 liability shall be amortized over a reasonable period of time as
11 determined by the commission.

12 4. If the difference between the electrical corporation's
13 average base rates set in the electrical corporation's first
14 general rate proceeding concluding on or after such three-year
15 anniversary and the electrical corporation's average base rates
16 set in the electrical corporation's most recent general rate
17 proceeding concluded prior to the date the electrical corporation
18 gave a notice under either subsection 4 of section 393.1275 or
19 subsection 9 of section 393.1400 have increased by a compound
20 annual growth rate of more than three and three-quarters percent,
21 the electrical corporation shall, starting with the effective
22 date of its revised base rates, cease further deferrals under
23 sections 393.1275 and 393.1400, with prior deferrals to be
24 treated as provided for in such sections.

25 5. As used in this section, "average base rates" shall be
26 calculated by dividing the total retail revenue requirement for
27 all the electrical corporation's rate classes by the total sales

2 volumes for all rate classes used to set rates in the applicable
3 general rate proceeding, exclusive of gross receipts tax, sales
4 tax and other similar pass-through taxes.

5 6. The regulatory liability provided for in subsection 3 of
6 this section shall be twelve million dollars for an electrical
7 corporation with more than one million retail customers and three
8 million dollars for an electrical corporation with more than two
9 hundred thousand but not more than one million retail customers,
10 but not more than one million retail customers."; and

11 Further amend the title and enacting clause accordingly.