

SENATE BILL NO. 1714

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

7134S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 393.130, RSMo, and to enact in lieu thereof one new section relating to prohibited charges by public utilities to customers.

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

Section A. Section 393.130, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 393.130, to read as follows:

393.130. 1. Every gas corporation, every electrical corporation, every water corporation, and every sewer corporation shall furnish and provide such service instrumentalities and facilities as shall be safe and adequate and in all respects just and reasonable. All charges made or demanded by any such gas corporation, electrical corporation, water corporation or sewer corporation for gas, electricity, water, sewer or any service rendered or to be rendered shall be just and reasonable and not more than allowed by law or by order or decision of the commission. Every unjust or unreasonable charge made or demanded for gas, electricity, water, sewer or any such service, or in connection therewith, or in excess of that allowed by law or by order or decision of the commission is prohibited. **Such unjust or unreasonable charges shall include charges or fees for:**

17 (1) Any promotional advertising expenses by a gas
18 corporation, electrical corporation, water corporation, or
19 sewer corporation;

20 (2) Any charitable expenses by a gas corporation,
21 electrical corporation, water corporation, or sewer
22 corporation; and

23 (3) Any expenses by a gas corporation, electrical
24 corporation, water corporation, or sewer corporation for
25 lobbying purposes, including, but not limited to, any fees
26 or dues paid by a gas corporation, electrical corporation,
27 water corporation, or sewer corporation to trade
28 organizations that perform lobbying services at the federal,
29 state, or local level.

30 2. No gas corporation, electrical corporation, water
31 corporation or sewer corporation shall directly or
32 indirectly by any special rate, rebate, drawback or other
33 device or method, charge, demand, collect or receive from
34 any person or corporation a greater or less compensation for
35 gas, electricity, water, sewer or for any service rendered
36 or to be rendered or in connection therewith, except as
37 authorized in this chapter, than it charges, demands,
38 collects or receives from any other person or corporation
39 for doing a like and contemporaneous service with respect
40 thereto under the same or substantially similar
41 circumstances or conditions.

42 3. No gas corporation, electrical corporation, water
43 corporation or sewer corporation shall make or grant any
44 undue or unreasonable preference or advantage to any person,
45 corporation or locality, or to any particular description of
46 service in any respect whatsoever, or subject any particular
47 person, corporation or locality or any particular

48 description of service to any undue or unreasonable
49 prejudice or disadvantage in any respect whatsoever.

50 4. Nothing in this section shall be taken to prohibit
51 a gas corporation, electrical corporation, water corporation
52 or sewer corporation from establishing a sliding scale for a
53 fixed period for the automatic adjustment of charges for
54 gas, electricity, water, sewer or any service rendered or to
55 be rendered and the dividends to be paid stockholders of
56 such gas corporation, electrical corporation, water
57 corporation or sewer corporation; provided, that the sliding
58 scale shall first have been filed with and approved by the
59 commission; but nothing in this subsection shall operate to
60 prevent the commission after the expiration of such fixed
61 period from fixing proper, just and reasonable rates and
62 charges to be made for service as authorized in sections
63 393.110 to 393.285.

64 5. No water corporation shall be permitted to charge
65 any municipality or fire protection district a rate for the
66 placing and providing of fire hydrants for distribution of
67 water for use in protecting life and property from the
68 hazards of fire within such municipality or fire protection
69 district. Nothing herein shall prevent such water
70 corporation from including the cost of placement and
71 maintenance of such fire hydrants in its cost basis in
72 determining a fair and reasonable rate to be charged for
73 water. Any such fee or rental charge being made for such
74 fire hydrants whether by contract or otherwise at the time
75 this act shall take effect may remain in effect for a period
76 of one hundred twenty days after this section shall take
77 effect.

78 6. In any home rule city with more than four hundred
79 thousand inhabitants and located in more than one county,

80 any deposits held by the city for any water or sewerage
81 services provided to a customer at any premises shall accrue
82 interest if the customer is current in payments for water
83 and sewerage services and if the city has held the deposit
84 for two or more years. Interest for each year, or part
85 thereof, shall accrue at the rate set for six month United
86 States treasury bills effective December thirty-first of the
87 preceding year. For any deposit held by the city on or
88 before the December thirty-first prior to August 28, 2002,
89 if that deposit is still held by the city on the December
90 thirty-first one year next following August 28, 2002,
91 interest accruing pursuant to this section from the
92 effective date shall be credited to the customer's
93 individual account, or paid to the customer, at the city's
94 discretion.

95 7. Each electrical corporation providing electric
96 service to more than two hundred fifty thousand customers
97 shall develop and submit to the commission schedules to
98 include in the electrical corporation's service tariff
99 applicable to customers who are reasonably projected to have
100 above an annual peak demand of one hundred megawatts or
101 more. The schedules should reasonably ensure such
102 customers' rates will reflect the customers' representative
103 share of the costs incurred to serve the customers and
104 prevent other customer classes' rates from reflecting any
105 unjust or unreasonable costs arising from service to such
106 customers. Each electrical corporation providing electric
107 service to two hundred fifty thousand or fewer customers as
108 of January 1, 2025, shall develop and submit to the
109 commission such schedules applicable to customers who are
110 reasonably projected to have above an annual peak demand of
111 fifty megawatts or more. The commission may order

112 electrical corporations to submit similar tariffs to
113 reasonably ensure that the rates of customers who are
114 reasonably projected to have annual peak demands below the
115 above-referenced levels will reflect the customers'
116 representative share of the costs incurred to serve the
117 customers and prevent other customer classes' rates from
118 reflecting any unjust or unreasonable costs arising from
119 service to such customers.

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