

FIRST REGULAR SESSION

SENATE BILL NO. 450

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS JOHNSON AND DePASCO.

Read 1st time February 15, 1999, and 1,000 copies ordered printed.

S1935.021

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 393.290, RSMo 1994, and to enact in lieu thereof one new section relating to safety regulation of certain heating companies.

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

Section A. Section 393.290, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 393.290, to read as follows:

393.290. **1. Except as otherwise provided in subsection 2 of this section,** all provisions of chapters 386, 387, 390, 392 and 393, RSMo, in reference to railroad corporations, street railroad corporations, common carriers, gas corporations, electrical corporations, water corporations, telephone and telegraph corporations, and sewer corporations, in reference to hearings, summoning witnesses, taking of testimony, reports, approval of incorporation and certificates of franchises, the approval of issues of stocks, bonds, notes and other evidence of indebtedness, consolidation, lease, transfer of franchises, valuation of property, grants and franchises, keeping of accounts, complaints as to quality, price, facilities furnished, the fixing of just and reasonable rates and adequacy of service, forfeitures of all descriptions, forfeitures for noncompliance with the orders, summary proceedings under chapters 386, 387, 390, 392 and 393, RSMo, excessive charges for product, service or facilities, proceedings before the commission, and proceedings in any court mentioned in chapters 386, 387, 390, 392 and 393, RSMo, and in all other sections, paragraphs, provisions and parts of chapters 386, 387, 390, 392 and 393, RSMo, in reference to any other corporations subject to any of the provisions of chapters 386, 387, 390, 392 and 393, RSMo, so far as the same shall be practically, legally or necessarily applicable to heating companies in this state, are hereby made applicable to such heating companies as designated in said chapters, and shall have full application thereto.

2. Any provision of law to the contrary notwithstanding, the jurisdiction, supervision, powers and duties of the public service commission shall extend to a heating company serving only commercial customers only so far as concerns the construction, maintenance and operation of the physical equipment of such heating company to the extent of providing for the safety of the public and the employees of the heating company. The jurisdiction of the public service commission with respect to a heating company serving only commercial customers shall be extended only to the extent provided in this section, and nothing herein contained shall be construed as otherwise conferring upon such commission jurisdiction over the service, rates, financing, accounting or management of any such company.

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