

1 AN ACT relating to the Public Service Commission.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 278.180 is amended to read as follows:

4 (1) Except as provided in subsection (2) of this section, no change shall be made by any  
5 utility in any rate except upon thirty (30) days' notice to the commission, stating  
6 plainly the changes proposed to be made and the time when the changed rates will  
7 go into effect. However, the commission may, in its discretion, based upon a  
8 showing of good cause in any case, shorten the notice period from thirty (30) days  
9 to a period of not less than twenty (20) days. The commission may order a rate  
10 change only after giving an identical notice to the utility. The commission may  
11 order the utility to give notice of its proposed rate increase to that utility's customers  
12 in the manner set forth in its regulations.

13 (2) The commission, upon application of any utility, may prescribe a less time within  
14 which a reduction of rates may be made.

15 **(3) (a) Within six (6) months of the month that a rate increase first appears on the**  
16 **bill, ratepayers of regulated electric utilities may file with the commission a**  
17 **petition for rehearing of the approval of the rate increase.**

18 **(b) The petition must contain the signatures of ten percent (10%) of the utility's**  
19 **residential ratepayers.**

20 **(c) Within sixty (60) days, the commission shall hold a public hearing and**  
21 **review the evidence supporting and opposing the increase. Testimony from**  
22 **ratepayers shall be taken. Evidence which was not available to the**  
23 **commission during the previous proceeding may be considered.**

24 **(d) Within sixty (60) days of the hearing, the commission shall render a**  
25 **decision decreasing the rate or affirming the prior decision.**

26 **(e) Ratepayers may appeal the original commission decision to the Franklin**  
27 **Circuit Court after the petition for rehearing is decided.**

1           ➔Section 2. KRS 278.070 is amended to read as follows:

2       **(1)** The Governor may remove any commissioner for cause, after giving him a copy of  
3       the charges against him and an opportunity of being publicly heard in person or by  
4       counsel in his own defense upon not less than ten (10) days' notice. If a  
5       commissioner is removed, the Governor shall file in the office of the Secretary of  
6       State a complete statement of all charges against the commissioner and his findings  
7       thereon, and a complete record of the proceedings. Any commissioner so removed  
8       may bring action in the proper court to determine whether or not he was legally  
9       removed in accordance with this section.

10       **(2) (a) Retention of all commissioners shall be included on ballots in regular**  
11               **elections.**

12       **(b) Voters who present proof at the polling station that they are ratepayers of a**  
13               **regulated utility shall receive the retention ballot.**

14       **(c) Vacant seats occurring as a result of non-retention shall be filled pursuant**  
15               **to KRS 278.050.**