

Regular Session, 2011

HOUSE BILL NO. 308

BY REPRESENTATIVE NOWLIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC SERVICE COMN: Exempts publicly regulated water utility systems from regulation by the Public Service Commission

1 AN ACT

2 To enact R.S. 45:1164(D), relative to the Public Service Commission; to exempt publicly
3 regulated water utility systems from the jurisdiction of the commission; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 45:1164(D) is hereby enacted to read as follows:

7 §1164. Extent of power as to service; exception

8 * * *

9 D. The provisions of this Part shall not apply to any public water utility
10 owned, operated, or regulated by the governing authority of one or more political
11 subdivisions, including those water utility systems that are regulated or managed by
12 a board or commission appointed by a parish, unless the electors who are customers
13 of the public utility have manifested their approval of being under the jurisdiction of
14 the Public Service Commission as required by Article IV, Section 21(C) of the
15 Constitution of Louisiana in the manner provided by R.S. 45:1164.1 through
16 1164.13.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Nowlin

HB No. 308

Abstract: Exempts any public water utility owned, operated, or regulated by the governing authority of one or more political subdivisions from the jurisdiction of the Public Service Commission.

Present law provides that the power, authority, and duties of the Public Service Commission shall affect and include all matters and things connected with, concerning, and growing out of the service to be given or rendered by such public utility, except in the parish of Orleans.

Proposed law retains present law.

Present law further provides that the provisions of present law shall not apply to any public utility, the title to which is in the state or any of its political subdivisions or municipalities, unless the electors of such are customers of the public utility have manifested their approval of being under the jurisdiction of the Public Service Commission.

Proposed law retains present law and specifies that the provisions of proposed law shall not apply to any public water utility owned, operated, or regulated by the governing authority of one or more political subdivisions, including those water utility systems that are regulated or managed by a board or commission appointed by a parish, unless the electors who are customers of the public utility have manifested their approval of being under the jurisdiction of the Public Service Commission.

(Adds R.S. 45:1164(D))