

FIRST REGULAR SESSION

# SENATE BILL NO. 459

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KEHOE.

Read 1st time February 28, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

1933S.011

## AN ACT

To repeal section 393.155, RSMo, and to enact in lieu thereof one new section relating to electric corporation rate cases.

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

Section A. Section 393.155, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 393.155, to read as follows:

393.155. 1. **Beginning August 28, 2013, the commission shall only  
2 use the revenue allocation method in rate cases involving electric  
3 corporations providing an electric service.**

4       **2.** If, after hearing, the commission determines that any electrical  
5 corporation should be allowed a total increase in revenue that is primarily due  
6 to an unusually large increase in the corporation's rate base, the commission, in  
7 its discretion, need not allow the full amount of such increase to take effect at one  
8 time, but may instead phase in such increase over a reasonable number of  
9 years. Any such phase-in shall allow the electrical corporation to recover the  
10 revenue which would have been allowed in the absence of a phase-in and shall  
11 make a just and reasonable adjustment thereto to reflect the fact that recovery  
12 of a part of such revenue is deferred to future years. In order to implement the  
13 phase-in, the commission may, in its discretion, approve tariff schedules which  
14 will take effect from time to time after the phase-in is initially approved.

15       **[2.] 3.** If, after hearing, the commission determines that an electrical  
16 corporation, which is a wholly owned subsidiary of a public utility holding  
17 company registered under the Public Utility Holding Company Act of 1935,  
18 should be allowed an unusually large increase in total revenue which is primarily  
19 due to an unusually large increase in expense resulting from the Federal Energy

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20 Regulatory Commission regulation of expenses related to a generating facility  
21 owned by another wholly owned subsidiary of the same public utility holding  
22 company; then the commission, in its discretion, need not allow the full amount  
23 of such increase in total revenue to take effect at one time, but may instead phase  
24 in such increase over a reasonable number of years. Any phase-in authorized  
25 pursuant to this subsection shall allow the electrical corporation to recover the  
26 revenue which would have been allowed in the absence of a phase-in and shall  
27 make a just and reasonable adjustment thereto to reflect the fact that recovery  
28 of a part of such revenue is deferred to future years, including reasonable  
29 financing costs incurred in connection therewith. In order to implement a  
30 phase-in authorized pursuant to this subsection, the commission may, in its  
31 discretion, approve tariff schedules which will take effect from time to time after  
32 the phase-in is initially approved.

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Bill

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