

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1471
98TH GENERAL ASSEMBLY

4614H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 393.1012, RSMo, and to enact in lieu thereof one new section relating to infrastructure system replacement surcharges.

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

Section A. Section 393.1012, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 393.1012, to read as follows:

393.1012. 1. Notwithstanding any provisions of chapter 386 and this chapter to the contrary, beginning August 28, 2003, a gas corporation providing gas service may file a petition and proposed rate schedules with the commission to establish or change ISRS rate schedules that will allow for the adjustment of the gas corporation's rates and charges to provide for the recovery of costs for eligible infrastructure system replacements. The commission may not approve an ISRS to the extent it would produce total annualized ISRS revenues below the lesser of one million dollars or one-half of one percent of the gas corporation's base revenue level approved by the commission in the gas corporation's most recent general rate proceeding. The commission may not approve an ISRS to the extent it would produce total annualized ISRS revenues exceeding ten percent of the gas corporation's base revenue level approved by the commission in the gas corporation's most recent general rate proceeding **in any consecutive three-year period during which an ISRS is in effect, provided that ISRS charges applicable to residential customers shall not be increased by more than one dollar and fifty cents per month in any annual period as adjusted for any net increase or decrease in the Handy Whitman Index for gas pipeline construction costs occurring after August 28, 2016. If such index becomes unavailable, then another index of a similar nature and effect shall be used.** An ISRS and any future changes thereto shall be calculated and implemented in accordance with the provisions of sections 393.1009 to 393.1015, **including the requirement facilities replaced**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 **under paragraph (a) of subdivision (5) of section 393.1009 be in worn out or deteriorated**
20 **condition.** ISRS revenues shall be subject to a refund based upon a finding and order of the
21 commission to the extent provided in subsections 5 and 8 of section 393.1009.

22 2. The commission shall not approve an ISRS for any gas corporation that has not had
23 a general rate proceeding decided or dismissed by issuance of a commission order within the past
24 [three] **five** years, unless the gas corporation has filed for or is the subject of a new general rate
25 proceeding.

26 3. In no event shall a gas corporation collect an ISRS for a period exceeding [three] **five**
27 years unless the gas corporation has filed for or is the subject of a new general rate proceeding;
28 provided that the ISRS may be collected until the effective date of new rate schedules established
29 as a result of the new general rate proceeding, or until the subject general rate proceeding is
30 otherwise decided or dismissed by issuance of a commission order without new rates being
31 established.

32 4. **Nothing in this section shall be construed as diminishing in any way the current**
33 **authority and rights of the commission, on its own motion, the staff of the commission,**
34 **public counsel, the mayor or the president or chairman of the board of aldermen or a**
35 **majority of the council, commission, or other legislative body of any city, town, village, or**
36 **county located in the service territory of the gas corporation, or not less than twenty-five**
37 **consumers or purchasers, or prospective consumers or purchasers, of gas from the gas**
38 **corporation to file a complaint under section 386.390 alleging that the rates or charges of**
39 **the gas corporation are unreasonable or unlawful.**

40 5. Sections 393.1009, 393.1012, and 393.1015 shall expire on December 31, 2036.

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