

**HOUSE AMENDMENT NO. \_\_\_\_\_**  
**TO**  
**HOUSE AMENDMENT NO. \_\_\_\_\_**

**Offered By**

1 AMEND House Substitute Amendment No. \_\_\_\_\_ to House Committee Substitute for House Bill  
2 No. 2265, Page 1, Line 1, by deleting all of said line and inserting in lieu thereof the following:

3  
4 "AMEND House Committee Substitute for House Bill No. 2265, Page 7, Section 393.137, Line 37,  
5 by inserting immediately after all of said section and line the following:

6  
7 "393.130. 1. Every gas corporation, every electrical corporation, every water corporation,  
8 and every sewer corporation shall furnish and provide such service instrumentalities and facilities as  
9 shall be safe and adequate and in all respects just and reasonable. All charges made or demanded by  
10 any such gas corporation, electrical corporation, water corporation or sewer corporation for gas,  
11 electricity, water, sewer or any service rendered or to be rendered shall be just and reasonable and  
12 not more than allowed by law or by order or decision of the commission. Every unjust or  
13 unreasonable charge made or demanded for gas, electricity, water, sewer or any such service, or in  
14 connection therewith, or in excess of that allowed by law or by order or decision of the commission  
15 is prohibited.

16 2. No gas corporation, electrical corporation, water corporation or sewer corporation shall  
17 directly or indirectly by any special rate, rebate, drawback or other device or method, charge,  
18 demand, collect or receive from any person or corporation a greater or less compensation for gas,  
19 electricity, water, sewer or for any service rendered or to be rendered or in connection therewith,  
20 except as authorized in this chapter, than it charges, demands, collects or receives from any other  
21 person or corporation for doing a like and contemporaneous service with respect thereto under the  
22 same or substantially similar circumstances or conditions.

23 3. No gas corporation, electrical corporation, water corporation or sewer corporation shall  
24 make or grant any undue or unreasonable preference or advantage to any person, corporation or  
25 locality, or to any particular description of service in any respect whatsoever, or subject any  
26 particular person, corporation or locality or any particular description of service to any undue or  
27 unreasonable prejudice or disadvantage in any respect whatsoever.

28 4. Nothing in this section shall be taken to prohibit a gas corporation, electrical corporation,  
29 water corporation or sewer corporation from establishing a sliding scale for a fixed period for the  
30 automatic adjustment of charges for gas, electricity, water, sewer or any service rendered or to be  
31 rendered and the dividends to be paid stockholders of such gas corporation, electrical corporation,  
32 water corporation or sewer corporation; provided, that the sliding scale shall first have been filed  
33 with and approved by the commission; but nothing in this subsection shall operate to prevent the

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 commission after the expiration of such fixed period from fixing proper, just and reasonable rates  
2 and charges to be made for service as authorized in sections 393.110 to 393.285.

3 5. No water corporation shall be permitted to charge any municipality or fire protection  
4 district a rate for the placing and providing of fire hydrants for distribution of water for use in  
5 protecting life and property from the hazards of fire within such municipality or fire protection  
6 district. Nothing herein shall prevent such water corporation from including the cost of placement  
7 and maintenance of such fire hydrants in its cost basis in determining a fair and reasonable rate to be  
8 charged for water. Any such fee or rental charge being made for such fire hydrants whether by  
9 contract or otherwise at the time this act shall take effect may remain in effect for a period of one  
10 hundred twenty days after this section shall take effect.

11 6. In any home rule city with more than four hundred thousand inhabitants and located in  
12 more than one county, any deposits held by the city for any water or sewerage services provided to a  
13 customer at any premises shall accrue interest if the customer is current in payments for water and  
14 sewerage services and if the city has held the deposit for two or more years. Interest for each year,  
15 or part thereof, shall accrue at the rate set for six month United States treasury bills effective  
16 December thirty-first of the preceding year. For any deposit held by the city on or before the  
17 December thirty-first prior to August 28, 2002, if that deposit is still held by the city on the  
18 December thirty-first one year next following August 28, 2002, interest accruing pursuant to this  
19 section from the effective date shall be credited to the customer's individual account, or paid to the  
20 customer, at the city's discretion.

21 7. Each gas corporation shall promptly repair such service instrumentalities and facilities,  
22 such as pipelines, regardless of location, that are necessary for a customer to receive safe and  
23 adequate service. Such repair is required regardless of the customer's failure to make any payment  
24 to the gas corporation. The gas corporation shall not require a customer to pay any balance owed to  
25 the corporation or make any other payment before performing such repair. The gas corporation  
26 shall perform such repair but shall not be required to restore or continue service in the absence of  
27 any payment."; and

28  
29 Further amend said bill, page 9, Section 393.1100, Line 31,"; and

30  
31 Further amend said bill by amending the title, enacting clause, and intersectional references  
32 accordingly.

33  
34 THIS AMENDMENT AMENDS 6103H04.28H.