IN THE SENATE

SENATE BILL NO. 1143

BY STATE AFFAIRS COMMITTEE

1 AN ACT
2 RELATING TO PROCEEDINGS BEFORE THE PUBLIC UTILITIES COMMISSION;
3   AMENDING SECTION 61-622, IDAHO CODE, TO REVISE THE PUBLIC UTILITIES
4   COMMISSION'S AUTHORITY REGARDING RATE, FARE, TOLL, RENTAL,
5   CHARGE, CLASSIFICATION, CONTRACT, PRACTICE, RULE, SERVICE OR
6   REGULATION, TO REVISE PROCEDURES AND TO MAKE A TECHNICAL
7   CORRECTION; REPEALING SECTION 61-623, IDAHO CODE, RELATING TO
8   DETERMINATION OF SCHEDULE AND REGULAR RATES BY THE PUBLIC
9   UTILITIES COMMISSION.

10 Be It Enacted by the Legislature of the State of Idaho:

11   SECTION 1. That Section 61-622, Idaho Code, be, and the same is hereby amended to
12 read as follows:

13   61-622. FINDING OF COMMISSION NECESSARY FOR INCREASE IN RATE AND
14 APPROVAL OF A NEW TARIFF OR SCHEDULE – SUSPENSION. (1) No public utility
15 shall raise any existing rate, fare, toll, rental or charge or so alter any existing classification,
16 contract, practice, rule, service or regulation as to result in an increase in any rate, fare, toll,
17 rental or charge, under any circumstances whatsoever, except upon a showing before the
18 commission and a finding by the commission that such increase is justified.
19   (2) Whenever there shall be filed with the commission any new tariff or schedule stating
20 an individual or joint rate, fare, toll, rental, charge, classification, contract, practice, rule, service
21 or regulation, such tariff or schedule shall not become effective except upon a showing before
22 the commission and a finding by the commission that such tariff or schedule is justified.
23   (3) The commission shall have power, and is hereby given authority to suspend the
24 proposed effective date of any rate, fare, toll, rental, charge, classification, contract, practice,
25 rule, service or regulation, either upon complaint or upon its own initiative without complaint,
26 at once, and if it so orders, without answer or other formal pleadings by the interested public
27 utility or utilities., but upon The commission shall provide reasonable notice, that it intends to
28 enter upon conduct a hearing or other proceeding concerning the propriety of such rate, fare,
29 toll, rental, charge, classification, contract, practice, rule, service or regulation., and pPending
30 the subsequent hearing or proceeding and decision thereon, such rate, fare, toll, rental, charge,
31 classification, contract, practice, rule, service or regulation shall not go into effect.; provided,
32 that
33   (4) tThe period of suspension of such rate, fare, toll, rental, charge, classification,
34 contract, practice, rule, service or regulation shall not extend beyond thirty (30) days a period
35 of eight (8) months from the date when such rate, fare, toll, rental, charge, classification,
36 contract, practice, rule, service or regulation would otherwise go into effect, pursuant to section
37 61-307, Idaho Code, unless the commission in its discretion extends the period of suspension
38 for an initial period not exceeding five (5) months, nor unless the commission after a showing

1 ~~of good cause on the record grants an additional sixty (60) days; provided further, that prior to~~
2 ~~the expiration of said periods of suspension the commission may, with the consent in writing~~
3 ~~signed by the party filing such schedule, permanently or further suspend the same~~ utility
4 proposed a later effective date.

5 (5) ~~On~~ After such hearing or other proceeding during the suspension period,
6 the commission shall issue its order establishing the rates, fares, tolls, rentals, charges,
7 classifications, contracts, practices, rules, services or regulations proposed~~.~~ The commission
8 may approve, alter or amend the tariff or schedule in whole or in part, or others in lieu thereof,
9 which it shall find to be just and reasonable.

10 SECTION 2. That Section 61-623, Idaho Code, be, and the same is hereby repealed.