

IN THE SENATE

SENATE BILL NO. 1112

BY STATE AFFAIRS COMMITTEE

AN ACT

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

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

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

12 61-622. FINDING OF COMMISSION NECESSARY FOR INCREASE IN RATE AND AP-  
13 PROVAL OF A NEW TARIFF OR SCHEDULE -- SUSPENSION. (1) No public utility  
14 shall raise any existing rate, fare, toll, rental or charge or so alter any  
15 existing classification, contract, practice, rule, service or regulation as  
16 to result in an increase in any rate, fare, toll, rental or charge, under any  
17 circumstances whatsoever, except upon a showing before the commission and a  
18 finding by the commission that such increase is justified.

19 (2) Whenever there shall be filed with the commission any tariff or  
20 schedule stating a new individual or joint rate, fare, toll, rental, charge,  
21 classification, contract, practice, rule, service or regulation that does  
22 not increase or result in the increase of any existing rate, fare, toll,  
23 rental or charge, such tariff or schedule shall not become effective except  
24 upon a showing to and a finding by the commission that such tariff or schedule  
25 is justified.

26 (3) The commission shall have power, and is hereby given authority to  
27 suspend the proposed effective date of any new tariff, schedule, rate, fare,  
28 toll, rental, charge, classification, contract, practice, rule, service or  
29 regulation, either upon complaint or upon its own initiative without com-  
30 plaint, at once, and if it so orders, without answer or other formal plead-  
31 ings by the interested public utility or utilities, but upon ~~The commis-~~  
32 sion shall provide reasonable notice, that it intends to enter upon conduct  
33 a hearing or other proceeding concerning the propriety of such new tariff,  
34 schedule, rate, fare, toll, rental, charge, classification, contract, prac-  
35 tice, rule, service or regulation. and pending the subsequent hearing  
36 or proceeding and decision thereon, such new tariff, schedule, rate, fare,  
37 toll, rental, charge, classification, contract, practice, rule, service or  
38 regulation shall not go into effect, provided, that

39 (4) The period of suspension of such new tariff, schedule, rate, fare,  
40 toll, rental, charge, classification, contract, practice, rule, service or  
41 regulation shall not extend beyond thirty (30) days when such new tariff,  
42 schedule, rate, fare, toll, rental, charge, classification, contract, prac-

1 tice, rule, service or regulation would otherwise go into effect, pursuant  
2 to section 61-307, Idaho Code, unless the commission in its discretion ex-  
3 tends the period of suspension for an initial period not exceeding five (5)  
4 months, nor unless the commission after a showing of good cause on the record  
5 grants an additional sixty (60) days; ~~provided further, that.~~ pPrior to the  
6 expiration of said periods of suspension the commission may, with the con-  
7 sent in writing signed by the party filing such new tariff or schedule, per-  
8 manently or further suspend the same.

9 (5) ~~On~~ After such hearing or other proceeding during the suspension  
10 period, the commission shall establish issue its order approving, denying  
11 or amending the proposed tariffs, schedules, rates, fares, tolls, rentals,  
12 charges, classifications, contracts, practices, rules, services or regula-  
13 tions proposed, in whole or in part, or others in lieu thereof, which it shall  
14 find to be just and reasonable.

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