

HB 2408 -- Utility Payments to Public Counsel Fund

Sponsor: Schlottach

This bill creates an assessment-based funding mechanism for the Office of the Public Counsel. Prior to the beginning of each fiscal year, the counsel must make available to the Missouri Public Service Commission an estimate of the expenses to be incurred during the year which are reasonably attributable to the regulation of public utilities under Sections 386.700 and 386.710, RSMo, a separate estimate of expenses directly attributable to the various public utility groups, and the amount of expenses not directly attributable to these groups.

The calculation of the assessments is specified in the bill with the total amount of the counsel's assessment limited at two hundredths of 1% of the total gross intrastate operating revenues of all utilities regulated by the commission. In order for the counsel to make the allocations and assessments as provided in the bill, every commission-regulated utility must file with the commission a statement under oath of its gross intrastate operating revenues on or before March 31 of each year for the preceding calendar year. If a utility fails to timely file a statement, the commission will estimate the revenues.

A statement of the assessments must be rendered by the commission on behalf of the counsel to each public utility on or before July 1 with the amount assessed paid by July 15 or, if the utility elects, in four equal installments throughout the fiscal year. The moneys from the assessments will be deposited into the newly created Public Counsel Fund solely for the payment of expenditures actually incurred by the counsel. Moneys remaining in the fund will not revert to the General Revenue Fund.

The bill contains an emergency clause.