



HOUSE BILL 351: Utilities/Rate Base/Fair Value Determination.

2017-2018 General Assembly

Committee:		Date:	April 25, 2017
Introduced by:	Reps. Watford, Collins	Prepared by:	Layla Cummings Staff Attorney
Analysis of:	Second Edition		

OVERVIEW: *House Bill 351 would allow water and wastewater public utilities to use fair value determination to calculate the rate base when purchasing a water or wastewater system owned by a municipality, county, or other governmental entity.*

[As introduced, this bill was identical to S339, as introduced by Sen. Meredith, which is currently in Senate Rules and Operations of the Senate.]

CURRENT LAW: Currently, regulated public utilities establish a rate base calculated on the original cost of the public utility system.

BILL ANALYSIS: The bill would allow water and wastewater utilities that acquire systems from municipalities, counties, or other governmental entities to use a fair value determination as an alternative methodology to establish a rate base. The system would receive two different appraisals and the averaging of the appraisals would constitute fair value. The rate base would be the lesser of the purchase price negotiated between the parties to the sale or the fair value plus fees and costs authorized.

The public utility would apply for Commission approval to determine the rate base value of the acquired system. The application would identify deficiencies in the system, needed infrastructure improvements for the next five years, and projected rate impacts for the next five years.

The Commission would have the discretion to classify the acquired system as a separate entity for ratemaking purposes to avoid impacts to customers not served by the system.

EFFECTIVE DATE: The bill would become effective when it becomes law.

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Karen Cochrane-Brown
Director

Legislative Analysis
Division
919-733-2578