

House Bill 386

By: Representatives Buckner of the 95th, Johnson of the 35th, Mangham of the 75th, Bannister of the 77th, Bell of the 25th and others

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 4 of Title 46 of the Official Code of Georgia Annotated, relating to general provisions applicable to the distribution, storage, and sale of gas, so as to provide that whenever a gas utility company regulated by the Public Service Commission, including a marketer, discovers or has called to its attention a billing error or other mistake acknowledged or admitted to by the gas utility company and resulting in an overpayment by a retail customer of the gas utility company, such gas utility company shall be required automatically and immediately to provide a credit or refund of the amount of the overpayment to the customer; to prohibit a gas utility company regulated by the Public Service Commission from requiring a retail customer to whom it owes a credit or refund to submit in writing a request for such credit or refund before the gas utility company complies with the provisions of this Act; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 4 of Title 46 of the Official Code of Georgia Annotated, relating to general provisions applicable to the distribution, storage, and sale of gas, is amended by adding at the end thereof a new Code Section 46-4-2 to read as follows:

"46-4-2.

(a) Whenever a gas utility company regulated by the Public Service Commission, including a marketer as defined in paragraph (13) of Code Section 46-4-152, discovers or has called to its attention a billing error or other mistake acknowledged or admitted to by the gas utility company and resulting in an overpayment by a retail customer of said company, such gas utility company shall be required automatically and immediately to provide:

(1) A credit of the amount of the overpayment to the account of the customer; or

(2) A refund of the amount of the overpayment to the customer.

1 (b) A gas utility company regulated by the Public Service Commission shall be prohibited
2 from requiring a retail customer to whom it owes a credit or refund to submit in writing a
3 request for such credit or refund before the gas utility company complies with the
4 provisions of subsection (a) of this Code section."

5 **SECTION 2.**

6 This Act shall become effective upon its approval by the Governor or upon its becoming law
7 without such approval.

8 **SECTION 3.**

9 All laws and parts of laws in conflict with this Act are repealed.