

Senate Bill 32

By: Senators Thomas of the 2nd, Tate of the 38th and Brown of the 26th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 46-4-154 of the Official Code of Georgia Annotated, relating to the  
2 notice for election, unbundling, rates, application requirements, and surcharge on  
3 interruptibles, so as to provide a minimum amount for the surcharge on customers receiving  
4 interruptible service; to provide for related matters; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 46-4-154 of the Official Code of Georgia Annotated, relating to the notice for  
9 election, unbundling, rates, application requirements, and surcharge on interruptibles, is  
10 amended by striking subsection (e) and inserting in lieu thereof the following:

11 "(e) The commission shall establish a surcharge on all customers receiving interruptible  
12 service over the electing distribution company's distribution system sufficient to ensure  
13 that such customers will pay an equitable share of the cost of the distribution system over  
14 which such customers receive service. For each month, the minimum amount of the  
15 surcharge shall be 1.25 percent of the monthly charge to each individual interruptible  
16 customer for the volume of natural gas used by that customer for the month, not including  
17 any charges for distribution, transportation, ancillary service, or customer service. The  
18 commission is authorized to direct the electing distribution company or the marketers to  
19 collect such surcharge directly from the customers. Such surcharge shall be paid promptly  
20 upon receipt into the universal service fund. This surcharge shall not be applied to any  
21 hospital that has a medicare and Medicaid payor mix of at least 30 percent and has  
22 uncompensated writeoffs for the provision of charity, indigent, and free health care services  
23 of not less than 5 percent of such hospital's annual operating expenses based on the annual  
24 hospital surveys by the Division of Health Planning of the Department of Community  
25 Health. This surcharge shall not be applied to any institution or property enumerated in

1 Code Section 50-16-3, or administered or regulated under authority granted by Code  
2 Section 42-2-5 or 49-4A-6 or by Chapter 9 of Title 50."

3 **SECTION 2.**

4 All laws and parts of laws in conflict with this Act are repealed.