

House Bill 1328

By: Representatives Snow of the 1st, Childers of the 13th, Post 1, Manning of the 32nd, Reece of the 11th, and Rogers of the 20th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 2 of Title 46 of the Official Code of Georgia Annotated,
2 relating to investigations and hearings by the Public Service Commission, so as to provide
3 that when the rates or proposed rates of any electric or gas utility have been made the subject
4 of any proceeding before the commission, it shall be unlawful for any officer, employee,
5 agent, or representative of such utility to engage in any ex parte communication with any
6 member or employee of the commission concerning such proceeding; to provide for civil and
7 criminal penalties; to provide for rules and regulations; to provide for related matters; to
8 repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Article 3 of Chapter 2 of Title 46 of the Official Code of Georgia Annotated, relating to
12 investigations and hearings by the Public Service Commission, is amended by adding at its
13 end a new Code Section 46-2-60 to read as follows:

14 "46-2-60.

15 (a) When the rates or proposed rates of any electric or gas utility have been made the
16 subject of any proceeding before the commission, it shall be unlawful for any officer,
17 employee, agent, or representative of such utility to engage in any ex parte communication
18 with any member or employee of the commission concerning such proceeding.

19 (b) Any person who violates this Code section shall upon conviction be guilty of a
20 misdemeanor of a high and aggravated nature and shall additionally be subject to a civil
21 penalty not to exceed \$15,000.00 for each violation, such penalty to be enforced in the
22 same general manner provided for in Code Section 46-2-91.

23 (c) The commission shall be authorized to adopt rules and regulations for the
24 implementation of this Code section, including but not limited to the provision and
25 conditions of exceptions for communications of an emergency nature."

1 **SECTION 2.**

2 All laws and parts of laws in conflict with this Act are repealed.