

House Bill 1328

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

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2 All laws and parts of laws in conflict with this Act are repealed.