

Senate Bill 209

By: Senators Stoner of the 6th, Butler of the 55th, Pearson of the 51st and Hill of the 32nd

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

To amend Chapter 2 of Title 46 of the Official Code of Georgia Annotated, relating to the Public Service Commission, so as to change the time period for issuance of a commission order after a hearing regarding a gas supply plan and adjustment factors filed by a gas utility; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 46 of the Official Code of Georgia Annotated, relating to the Public Service Commission, is amended in Code Section 46-2-26.5, relating to gas supply plans and adjustment factors, by striking subsection (e) and inserting in lieu thereof the following:

"(e) Following such a hearing, the commission shall issue an order approving the gas supply plan filed by the gas utility or adopting a gas supply plan for the gas utility that the commission deems appropriate. In addition, the commission in its order shall approve the adjustment factors proposed by the gas utility or adopt adjustment factors that the commission deems appropriate. The adjustment factors approved or adopted by the commission, or otherwise made effective under this Code section, shall be applied uniformly to all firm customers upon the effective date of such factors. The adjustment factors to be effective during the recovery year commencing October 1, 1994, shall be set at levels appropriate to account for underrecoveries or overrecoveries, if any, under the purchased gas adjustment rate of the gas utility in effect prior to October 1, 1994. The adjustment factors to be applicable during each recovery year commencing October 1, 1995, and thereafter, shall be set at levels appropriate to account for underrecoveries or overrecoveries during the preceding recovery year. Should the commission fail or refuse to issue an order by the ~~forty-fifth~~ ninetieth day after the gas utility's filing which either approves the gas supply plan filed by the gas utility or adopts a different gas supply plan for the gas utility, the gas supply plan proposed by the gas utility shall thereupon be deemed approved by operation of law. Similarly, should the commission fail or refuse to

1 issue an order by such date which either approves the adjustment factors proposed by the
2 gas utility or adopts different adjustment factors for the gas utility, the adjustment factors
3 proposed by the gas utility shall thereupon be deemed approved by operation of law."

4 **SECTION 2.**

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