

The Senate Regulated Industries and Utilities Committee offered the following substitute to HB 587:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 4 of Title 46 of the Official Code of Georgia Annotated,  
2 relating to the distribution, storage, and sale of gas, so as to provide for revocation of a  
3 certificate of public convenience and necessity if the holder of the certificate has not begun  
4 construction or operation of any pipeline, or distribution system, or any extension thereof,  
5 in substantially all of the territory covered by such certificate where an end-use customer,  
6 property owner, or developer has requested natural gas service; to provide for related matters;  
7 to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

9 Article 2 of Chapter 4 of Title 46 of the Official Code of Georgia Annotated, relating to the  
10 distribution, storage, and sale of gas, is amended by adding a new subsection to Code Section  
11 46-4-28, relating to the suspension, revocation, alteration, or amendment of certificates by  
12 the Public Service Commission, to read as follows:  
13

14 "(a.1) Any certificate issued under this article shall be revoked or amended by the  
15 commission upon application to the commission by a person to provide natural gas service  
16 to a specified end-use customer, property owner, or developer who has requested natural  
17 gas service if the holder of the certificate has failed to begin construction or operation of  
18 any pipeline, or distribution system, or any extension thereof, in substantially all of the  
19 territory covered by such certificate. Once a person has filed such an application, the  
20 commission shall determine whether the applicant shall be entitled to a certificate for the  
21 territory specified in the application. The commission shall make such determination  
22 within 90 days of the application and shall consider factors such as whether the applicant  
23 can offer service at less cost in accordance with a commission approved line extension  
24 policy and other factors the commission deems in the public interest. The newly certified  
25 area shall be designed by the commission to serve the customers, property owners, or

1 developers in question while ensuring a boundary with safety and public welfare as the  
2 focus."

3 **SECTION 2.**

4 This Act shall become effective on July 1, 2007 and shall apply to all certificates in effect  
5 or applied for on or after such date.

6 **SECTION 3.**

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