

House Bill 449

By: Representatives Rhodes of the 124th, Ridley of the 6th, Hitchens of the 161st, Stephens of the 164th, Smith of the 70th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 46 of the Official Code of Georgia Annotated, relating to public utilities and
2 public transportation, so as to subject certain companies providing water services in this state
3 to regulation by the Public Service Commission; to provide for the review of certain
4 increases to the rates and charges of such companies by the commission; to provide for
5 financial record keeping of such companies; to provide for rules and regulations; to provide
6 for assessments and legislative recommendations by the commission; to provide for
7 definitions; to provide an effective date; to provide for related matters; to repeal conflicting
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public
12 transportation, is amended by revising Chapter 10, which is reserved, as follows:

13 "CHAPTER 10

14 46-10-1.

15 As used in this chapter, the term:16 (1) 'Covered water company' means any private company and any affiliates or
17 subsidiaries of such company that, collectively, provide water services by means of pipes
18 or conduits to 5,000 or more customer service connections in this state.19 (2) 'Water services' means water services, waste-water services, or both.

20 46-10-2.

21 The rates and charges of covered water companies for water services shall be just and
22 reasonable and shall be subject to the jurisdiction of the commission as provided in Code
23 Section 46-10-3.

24 46-10-3.

25 (a) Any increase to the rates or charges of a covered water company for water services that
26 would amount to an increase of 15 percent or more to the lowest amount such rates or
27 charges have been set over the prior three calendar years shall be subject to the jurisdiction
28 of the commission as provided in Code Section 46-2-25, including, without limitation, the
29 authority of the commission, upon its election, to enter upon a hearing concerning the
30 lawfulness of such increase, and such covered water company shall comply with the notice
31 provisions of subsection (a) of said Code section prior to making such increase to its rates
32 or charges.33 (b) If a hearing on the lawfulness of an increase to the rates or charges of a covered water
34 company for water services is held pursuant to subsection (a) of this Code section and the
35 commission determines at such hearing that such increase is just and reasonable, the
36 commission shall not hold another hearing concerning an increase to the rates or charges

37 of such covered water company for a period of three years, unless such covered water
38 company intends to increase its rates or charges during such three-year period by 15
39 percent or more to the rates or charges found to be just and reasonable by the commission
40 at such hearing.

41 (c) For purposes of calculating whether an increase to the rates or charges of a covered
42 water company for water services constitutes an increase of 15 percent or more to the
43 lowest amount such rates or charges have been set over the prior three calendar years, no
44 one-time fees or charges assessed by such company for connecting to its water or sewer
45 lines shall be included in such calculation.

46 46-10-4.

47 A covered water company shall keep records relating to its financial condition and profits
48 and losses in accordance with generally accepted accounting principles. Such records shall
49 be made available to the commission upon request.

50 46-10-5.

51 The commission shall have the power to promulgate reasonable rules and regulations not
52 inconsistent with this chapter or other laws of this state that are necessary to carry out the
53 provisions of this chapter.

54 46-10-6.

55 The commission shall conduct regular assessments of its jurisdiction over covered water
56 companies as provided in this chapter. When appropriate, the commission may make
57 recommendations to the General Assembly on any legislative changes or revisions to this
58 chapter that may be needed to regulate the activities of covered water companies and to
59 protect the interests of consumers in this state. Reserved."

60 **SECTION 2.**

61 This Act shall become effective on January 1, 2026.

62 **SECTION 3.**

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