

FILED MAR 29 1974

Passed Senate, Date _____ Passed House, Date _____
 Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
 Approved _____

A BILL FOR

1 An Act relating to filing for increases in utility rates,
 2 charges, schedules, or regulations.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4 Section 1. Section four hundred ninety A point six (490A.6),
 5 unnumbered paragraph six (6), Code 1973, is amended to read as
 6 follows:

7 However, a public utility shall have the right at any time
 8 after said rates, charges, schedules or regulations have been
 9 suspended for ninety days to place in effect any or all of such
 10 suspended rates, charges, schedules or regulations by filing with
 11 the commission a bond or other undertaking approved by the com-
 12 mission conditioned upon the refund in a manner to be prescribed
 13 by the commission of any amounts collected thereunder in excess
 14 of the amounts which would have been collected under rates,
 15 charges, schedules or regulations finally approved by the commis-
 16 sion. The right to abbreviate the suspension period initially
 17 prescribed by the commission shall not extend to a public utility
 18 which proposes to increase the same rates or charges as those
 19 being considered on an appeal by the public utility pending in
 20 the courts, unless specifically authorized by the commission.
 21 The commission shall authorize the collection under bond or other
 22 undertaking that part of the new proposed rates or charges which
 23 would have been approved by the commission if its criteria used
 24 in the decision on appeal were to be applied to the new filing.
 25 Such determination shall be made by the commission within one

1 hundred twenty days after the filing of the suspended rates
2 or charges. The commission shall establish a rate of interest
3 to be paid by a public utility to persons receiving refunds.
4 Such rate of interest shall be not less than five percent per
5 annum, nor more than nine percent per annum.

6 EXPLANATION

7 This bill prohibits a public utility from placing rates or
8 charges in effect, under bond or other undertaking, when it
9 has an appeal pending in the courts involving those same rates
10 or charges unless specifically authorized to do so by the
11 Commerce Commission. The Commission shall authorize the col-
12 lection of rates or charges to the extent that they are consis-
13 tent with the criteria used by the Commission in setting rates
14 or charges in the case on appeal and would be required to make
15 its order within 120 days after the filing of the suspended rates
16 or charges.

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