

Small Business and Commerce: Chiodo, Chair; Gronstal, Holveck, McIntee, Parker, Renken, Schroeder and Sturgeon.

Re Cases 1/25 (p. 211)

JAN 12 1984

HOUSE FILE 2068

BY GRONSTAL

SMALL BUSINESS AND COMMERCE

Passed House, Date 2-6-84 (p. 291) Passed Senate, Date 3-27-84

Vote: Ayes 73 Nays 23 Vote: Ayes 27 Nays 23

Approved May 8, 1984

A BILL FOR

1 An Act requiring certain public utilities to include in
2 each of their ads a listing of the percentage of the
3 ad's expenses which are to be charged to customers and
4 the percentages which are to be charged to the stock-
5 holders.

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

HOUSE FILE 2068

H-5048

1 Amend House File 2068 as follows:

2 1. Page 1, line 11, by inserting after the word
3 "utility." the following: "This paragraph does not
4 apply to a public utility furnishing communication
5 services as defined in section 476.1, subsection 2."

H-5048 FILED JANUARY 31, 1984 BY SCHNEKLOTH of Scott

7/15 2/6 (p. 291)

HOUSE FILE 2068

H-5076

1 Amend House File 2068 as follows:

2 1. Page 1, line 11, by inserting after the word
3 "utility." the following: "This paragraph does not
4 apply to a utility's product or service that is or
5 becomes subject to competition as determined by the
6 commerce commission."

H-5076 FILED FEB. 2, 1984

Adopted 2/6 (p. 291)

BY GRONSTAL of Pottawattamie
SCHNEKLOTH of Scott

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HF 2068

1 Section 1. Section 476.18, subsection 3, Code Supplement
2 1983, is amended by adding the following new unnumbered
3 paragraph:

4 NEW UNNUMBERED PARAGRAPH. Every ad which is published,
5 broadcast, or otherwise displayed or disseminated to the
6 public by a public utility shall include a statement in the
7 ad listing the percentage of the advertising expenses incurred
8 for the ad which are to be charged to the customers of the
9 public utility and the percentage of the advertising expenses
10 which are to be incurred by the stockholders or owners of
11 the public utility.

12 EXPLANATION

13 This bill requires public utility advertising to contain
14 a statement listing the percentage of related expenses for
15 the ad which are charged to the utility's customers and the
16 utility's stockholders.

17 The bill does not apply to rural electric cooperatives
18 under application of section 476.18, subsection 4, Code
19 Supplement 1983.

20 The bill takes effect July 1 following its enactment.

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HOUSE FILE 2068

BY GRONSTAL

(As Amended and Passed by the House)

Passed House, Date 4-5-84 (p. 1681) Passed Senate, Date 3-27-84 (p. 1677)

Vote: Ayes 70 Nays 24 Vote: Ayes 27 Nays 23

Approved May 8, 1984
2 Motion to Reconsider (p. 1678) Lost 4/2

A BILL FOR

1 An Act requiring certain public utilities to include in
2 each of their ads a listing of the percentage of the
3 ad's expenses which are to be charged to customers and
4 the percentages which are to be charged to the stock-
5 holders.

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

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SENATE AMENDMENT TO HOUSE FILE 2068

H-6051

1 Amend House File 2068, as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 1, by striking lines 6 through 11 and
4 inserting in lieu thereof the following:
5 "public by a public utility which is to be charged
6 to the customers of the public utility and which is
7 not required by the commerce commission or by other
8 state or federal regulation shall include a statement
9 in the ad that the costs of the ad are being charged
10 to the customers of the public utility. This paragraph
11 does not apply to a".

H-6051 FILED APRIL 3, 1984

RECEIVED FROM THE SENATE
House concurs 4/5 (p. 1680)

56351 Section 1. Section 476.18, subsection 3, Code Supplement
2 1983, is amended by adding the following new unnumbered
3 paragraph:

5850, 5851 4 NEW UNNUMBERED PARAGRAPH. Every ad which is published,
5852 5 broadcast, or otherwise displayed or disseminated to the
6 public by a public utility shall include a statement in the
5846, 55027 7 ad listing the percentage of the advertising expenses incurred
8 for the ad which are to be charged to the customers of the
9 public utility and the percentage of the advertising expenses
10 which are to be incurred by the stockholders or owners of
11 the public utility. This paragraph does not apply to a
12 utility's product or service that is or becomes subject to
13 competition as determined by the commerce commission.

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HOUSE FILE 2068

S-5502

1 Amend House File 2068 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, line 7, by inserting after the word
4 "listing" the words "the utility's best estimate of".

S-5502 FILED
MARCH 23, 1984

BY EDGAR H. HOLDEN

Ruled out of order 3/27 (p. 1677)

HOUSE FILE 2068

S-5535

1 Amend House File 2068, as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 1, by striking lines 2 through 13 and
4 inserting in lieu thereof the following:
5 "1983, is amended to read as follows:
6 3. Public utilities subject to rate regulation
7 are prohibited from including either directly or
8 indirectly in their charges or rates to customers
9 the costs of advertising other than advertising
10 which is required by the commerce commission or by
11 other state or federal regulation. However, this
12 subsection does not apply to a utility's
13 advertising which is deemed by the commission to
14 be necessary for the utility's customers and which
15 is approved by the commission, provided that the
16 advertising includes a statement in the advertisement
17 stating the advertising expenses incurred for the
18 advertisement are charged to the customers of the
19 public utility. This subsection does not apply to
20 a utility's product or service that is or becomes
21 subject to competition as determined by the
22 commission."

S-5535 FILED
MARCH 26, 1984

BY CHARLES BRUNER
PATRICK J. DELUHERY

Lost 3/27 (p. 1074)

HOUSE FILE 2068

S-5540

1 Amend House File 2068 as amended, passed, and re-
2 printed by the House as follows:
3 1. Page 1, by striking lines 9 through 11 and
4 inserting in lieu thereof the words "public utility."
5 This paragraph does not apply to a".

S-5540 FILED
MARCH 27, 1984

BY EDGAR H. HOLDEN

RULED OUT OF ORDER (p. 1677)

HOUSE FILE 2068

S-5546

1 Amend the amendment S-5535 to House File 2068 as
2 amended, passed, and reprinted by the House as follows:
3 1. Page 1, line 22, by inserting after the word
4 "commission." the words "All advertisements shall
5 state that advertising expenses incurred for the
6 advertisement are charged to the customers of the
7 advertiser."

S-5546 FILED

BY JOHN W. JENSEN

MARCH 27, 1984

RULED OUT OF ORDER (p. 1073)

HOUSE FILE 2068

S-5547

1 Amend House File 2068 as amended, passed, and re-
2 printed by the House as follows:
3 1. Page 1, line 7, by striking the words "the
4 percentage of".
5 2. Page 1, by striking lines 8 through 13 and
6 inserting in lieu thereof the words "for the ad."

S-5547 FILED & WITHDRAWN

BY JAMES V. GALLAGHER

MARCH 27, 1984 (p. 1077)

HOUSE FILE 2068

S-5550

1 Amend House File 2068 as amended, passed, and re-
2 printed by the House as follows:
3 1. Page 1, line 7, by striking the words "the
4 percentage of".
5 2. Page 1, by striking lines 8 through 11 and
6 inserting in lieu thereof the words "for the ad.
7 This paragraph does not apply to a".

S-5550 FILED & WITHDRAWN

BY JAMES V. GALLAGHER

MARCH 27, 1984 (p. 1077)

HOUSE FILE 2068

S-5554

1 Amend House File 2068, as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 1, by striking lines 6 through 11 and
4 inserting in lieu thereof the following:
5 "public by a public utility which is to be charged
6 to the customers of the public utility and which is
7 not required by the commerce commission or by other
8 state or federal regulation shall include a statement
9 in the ad that the costs of the ad are being charged
10 to the customers of the public utility. This paragraph
11 does not apply to a".

S-5554 FILED & ADOPTED

BY CHARLES BRUNER
JAMES GALLAGHER

MARCH 27, 1984 (p. 1077)

1 Amend House File 2068 as amended, passed, and re-
2 printed by the House, as follows:
3 1. Page 1, by inserting after line 13 the follow-
4 ing:

5 "Sec. ____ Section 476.5, Code 1983, is amended
6 to read as follows:

7 476.5 ADHERENCE TO SCHEDULES--DISCOUNTS.

8 1. ~~No~~ A public utility subject to rate regulation
9 shall not directly or indirectly charge a greater
10 or less compensation for its services than that
11 prescribed in its tariffs, and ~~no~~ such public utility
12 shall not make or grant any unreasonable preferences
13 or advantages as to rates or services to any person
14 or subject any person to any unreasonable prejudice
15 or disadvantage.

16 2. Nothing in this section shall be construed
17 to prohibit any public utility furnishing
18 communications services from providing any service
19 rendered by it without charge or at reduced rate to
20 any of its active or retired officers, directors,
21 or employees, or such officers, directors or employees
22 of other public utilities furnishing communications
23 services. Provided, however, said the service is
for personal use, and not for engaging in a business
for profit.

26 3. Notwithstanding subsection 1, the commission
27 may approve electric and natural gas rates, charges
28 and schedules which provide incentives to industrial
29 and commercial customers if the commission finds all
30 of the following:

31 a. In the past year the utility has had excess
32 electric generating capacity or pipeline capacity.

33 b. There is a reasonable need for new employ-
34 ment opportunities.

35 c. The incentive rate, charge or schedule is
36 reasonably designed to attract new business or expand
37 existing production and employment.

38 d. Other customers of the utility will not
39 experience an increase in their rates as a result
40 of the incentives.

41 Any such incentive rates, charges or schedules
42 approved shall phase out within five years after their
43 implementation."

44 2. Title page, lines 4 and 5, by inserting after
45 the word "stockholders" the words "and allowing for
46 incentive rates".

or service that is or becomes subject to competition as determined by the commerce commission.

HOUSE FILE 2068

AN ACT

REQUIRING CERTAIN PUBLIC UTILITIES TO INCLUDE IN EACH OF THEIR ADS A LISTING OF THE PERCENTAGE OF THE AD'S EXPENSES WHICH ARE TO BE CHARGED TO CUSTOMERS AND THE PERCENTAGES WHICH ARE TO BE CHARGED TO THE STOCKHOLDERS.

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

Section 1. Section 476.16, subsection 3, Code Supplement 1983, is amended by adding the following new unnumbered paragraph.

NEW UNNUMBERED PARAGRAPH. Every ad which is published, broadcast, or otherwise displayed or disseminated to the public by a public utility which is to be charged to the customers of the public utility and which is not required by the commerce commission or by other state or federal regulation shall include a statement in the ad that the costs of the ad are being charged to the customers of the public utility. This paragraph does not apply to a utility's product.

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2068, Seventieth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 8, 1984

TERRY E. BRANSTAD
Governor