

PUBLIC UTILITY ASSESSMENT

460.112 Assessments against public utilities; amount; apportionment.

Sec. 2.

The department within 30 days after the enactment into law of any appropriation to it, shall ascertain the amount of the appropriation attributable to the regulation of public utilities. This amount shall be assessed against the public utilities and shall be apportioned amongst them as follows: The gross revenue for the preceding calendar year derived from intrastate operations for each public utility shall be totaled and each public utility shall pay a portion of the assessment in the same proportion that its gross revenue for the preceding calendar year derived from intrastate operations bears to such total. Each public utility shall pay a minimum assessment of not less than \$50.00.

460.113 Deductions from assessments.

Sec. 3.

For the fiscal year commencing July 1, 1973 and annually thereafter, there shall be deducted from any amount to be assessed under section 2 an amount equal to the difference by which the actual expenditures for the previous fiscal year attributable to the regulation of public utilities are less than the amounts appropriated for those purposes. Such deductions shall be made in the same proportion as the original assessments in section 2 of the act.

Formula:

1. Total Statewide Appropriation (From Section 2)
Minus Unspent revenue from previous fiscal year (From Section 3)
Total Statewide Assessment

2. Public Utility's Preceding Calendar Year Gross Revenues from Intrastate Operations reported to PSC divided by:
Total of all Public Utility's Preceding Calendar Year Gross Revenues from Intrastate Operations

Equals Ratio to Total Statewide Gross Revenues from Intrastate Operations

3. Total Statewide Assessment
multiplied by each Utility's Ratio Factor

Equals each Utility's annual assessment amount (minimum of \$50)

460.111 Definitions.

Sec. 1. As used in this act:

- (a) "Commission" means the public service commission.
- (b) "Department" means the department of commerce.
- (c) "Public utility" means a steam, heat, electric, power, gas, water, wastewater, telecommunications, telegraph, communications, pipeline, or gas producing company regulated by the commission, whether private, corporate, or cooperative, except a municipally owned utility.

History: 1972, Act 299, Imd. Eff. Dec. 19, 1972; ¾Am. 1992, Act 36, Imd. Eff. Apr. 21, 1992; ¼Am. 2005, Act 189, Imd. Eff. Nov. 7, 2005