

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: S3/3/15
A Bill

SENATE BILL 645

5 By: Senators J. Hendren, Teague, Bledsoe, Caldwell, E. Cheatham, Hester, Hickey, B. King, U. Lindsey,
6 Rice, J. Woods
7 By: Representatives D. Douglas, Talley, Ballinger, Baltz, Collins, Cozart, Eads, K. Hendren, G. Hodges,
8 Lundstrum, McElroy, Neal, Petty, *Baine, Bell, Branscum, Della Rosa, Dotson, C. Douglas, Eubanks,*
9 *Fielding, Gonzales, Harris, Hickerson, M. Hodges, Jean, Jett, Ladyman, Leding, Pitsch, Richmond, Scott,*
10 *Vaught, D. Whitaker*
11

12 **For An Act To Be Entitled**

13 AN ACT TO AMEND THE LAW CONCERNING THE AUTHORITY OF
14 THE ARKANSAS PUBLIC SERVICE COMMISSION; TO ALLOW A
15 PUBLIC UTILITY TO OBTAIN ADDITIONAL PROPERTY OF
16 CERTAIN ENTITIES; TO CLARIFY THE IMPACT OF AN
17 EXEMPTION BY A PUBLIC UTILITY; AND FOR OTHER
18 PURPOSES.
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21 **Subtitle**

22 TO AMEND THE LAW CONCERNING THE AUTHORITY
23 OF THE ARKANSAS PUBLIC SERVICE
24 COMMISSION; TO ALLOW A PUBLIC UTILITY TO
25 OBTAIN ADDITIONAL PROPERTY OF CERTAIN
26 ENTITIES; AND TO CLARIFY THE IMPACT OF AN
27 EXEMPTION BY A PUBLIC UTILITY.
28

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30 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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32 SECTION 1. Arkansas Code § 23-3-102(a), concerning additional property
33 of a public utility, is amended to add an additional subdivision to read as
34 follows:

35 (4) A public utility may acquire, lease, or rent a plant or
36 property constituting an operating unit or system, including any such plant



1 or property owned by the public utility's affiliate or by other entity.

2
3 SECTION 2. Arkansas Code § 23-3-201, concerning requirements for new
4 construction or extension by a public utility, is amended to add an
5 additional subsection to read as follows:

6 (c) An exemption claimed by a public utility under § 23-18-504(a)(5)
7 does not bar the public utility from seeking the issuance of a certificate of
8 public convenience and necessity under this section nor shall such exemption
9 bar the commission from granting the public utility such certificate of
10 public convenience and necessity and thereby allow the public utility to seek
11 recovery of the reasonable cost of the equipment or facilities through rates.

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13 */s/J. Hendren*

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16 **APPROVED: 03/27/2015**