

As Engrossed: 3/18/91, 3/27/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Wilson**

A BILL ACT 1090 OF 1991
SENATE BILL 575

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE §23-4-407 TO AUTHORIZE THE
9 PUBLIC SERVICE COMMISSION TO SUSPEND, FOR A TIME CERTAIN
10 BEYOND NINE (9) MONTHS, ANY NEW RATE FILED BY A PUBLIC
11 UTILITY IF THE UTILITY SO REQUESTS; AND FOR OTHER
12 PURPOSES."

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14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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16 SECTION 1. Arkansas Code §23-4-407 is amended to read as follows:
17 "23-4-407. Suspension of proposed rates.

18 (a) Pending its investigation and the decision thereon, the Arkansas
19 Public Service Commission may suspend the operation of the rate by written
20 order at any time before the new rate becomes effective. However, the
21 suspension shall not be for a longer period than nine (9) months beyond the
22 time when the rate would otherwise go into effect. Any order initially
23 suspending the rate shall set a specific date for the commencement of a
24 hearing inquiring into the rate requested unless waived by the applicant
25 utility.

26 (b) Provided, however, that the Commission may suspend, for a time
27 certain, the operation of said rate or rates for a longer period than nine (9)
28 months beyond the time when such rate or rates would otherwise go into effect
29 if the public utility which filed said rate or rates files a waiver in writing
30 with the Commission before the expiration of the previously ordered suspension
31 period consenting to such additional suspension. The Commission may not
32 suspend a rate or rates for any additional period greater than that consented
33 to by the public utility.

34 *The provisions of this paragraph shall not apply to any telephone*
35 *company or telephone cooperative which has less than ten thousand (10,000)*
36 *access lines."*

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SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

/s/Wilson

APPROVED: 4-9-91