

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

942N0655

SENATE TAXATION COMMITTEE ENGROSSED NO.

SB 182 - 02/14/2007

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senators Peterson (Jim), Duenwald, Garnos, Hanson (Gary), and Heidepriem
and Representatives Rausch, Dykstra, Hargens, Jerke, Nelson, Pitts,
Sigdestad, and Street

1 FOR AN ACT ENTITLED, An Act to revise and establish certain provisions regarding the
2 setting of rates for public utilities.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 49-34A-8 be amended to read as follows:

5 49-34A-8. The ~~Public Utilities Commission~~ commission, in the exercise of its power under
6 this chapter to determine just and reasonable rates for public utilities, shall give due
7 consideration to the public need for adequate, efficient, economical, and reasonable service and
8 to the need of the public utility for revenues sufficient to enable it to meet its total current cost
9 of furnishing such service, including taxes and interest, and including adequate provision for
10 depreciation of its utility property used and necessary in rendering service to the public, and to
11 earn a fair and reasonable return upon the value of its property.

12 Section 2. That chapter 49-34A be amended by adding thereto a NEW SECTION to read
13 as follows:

14 The burden is on the public utility to establish that the underlying costs of any rates, charges,



- 1 or automatic adjustment charges filed under this chapter are prudent, efficient, and economical
- 2 and are reasonable and necessary to provide service to the public utility's customers in this state.