

HOUSE BILL No. 1487

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-1-2-46.

Synopsis: Utility customer assistance programs. Amends the statute that authorizes a water or wastewater utility, in the context of a general rate case, to establish a customer assistance program for qualified residential customers, to provide the same authority to energy utilities.

Effective: Upon passage.

Pryor

January 14, 2021, read first time and referred to Committee on Utilities, Energy and Telecommunications.



First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-1-2-46, AS AMENDED BY P.L.233-2017,
2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 46. (a) The commission shall provide for a
4 comprehensive classification of such service for each public utility and
5 such classification may take into account the quantity used, the time
6 when used, the purpose for which used and other reasonable
7 consideration. Each public utility is required to conform its schedules
8 of rates, tolls, and charges to such classification.

9 (b) As used in this section, "energy utility" means:
10 (1) a public utility, as defined in section 1(a) of this chapter;
11 (2) a municipally owned utility, as defined in section 1(h) of
12 this chapter;
13 (3) a cooperatively owned utility; or
14 (4) a not-for-profit utility;
15 that provides electric utility service, gas utility service, or both
16 electric utility service and gas utility service, to the public.
17 (c) As used in this section, "utility" means:



- 1 **(1) an energy utility; or**
 2 **(2) a water or wastewater utility.**
 3 ~~(b)~~ **(d)** As used in this section, "water or wastewater utility" means:
 4 (1) a public utility, as defined in section 1(a) of this chapter;
 5 (2) a municipally owned utility, as defined in section 1(h) of this
 6 chapter; or
 7 (3) a not-for-profit utility, as defined in section 125(a) of this
 8 chapter;
 9 that provides water or wastewater service to the public.
 10 ~~(c)~~ **(e)** Upon request by a ~~water or wastewater~~ utility in a general
 11 rate case, the commission may allow, but may not require, a ~~water or~~
 12 ~~wastewater~~ utility to establish a customer assistance program that:
 13 (1) uses state or federal infrastructure funds, **as applicable**; or
 14 (2) provides financial relief to residential customers who qualify
 15 for income related assistance.
 16 A customer assistance program established under this subsection that
 17 affects rates and charges for service is not discriminatory for purposes
 18 of this chapter or any other law regulating rates and charges for service.
 19 In considering whether to approve a ~~water or wastewater~~ utility's
 20 proposed customer assistance program, the commission shall determine
 21 that a customer assistance program established under this subsection
 22 furthers the interests set forth in section 0.5 of this chapter and is in the
 23 public interest.
 24 ~~(d)~~ **(f)** The commission shall adopt rules under IC 4-22-2 to
 25 implement this section.
 26 **SECTION 2. An emergency is declared for this act.**

