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SB-631 Public Utilities Commission: fees. (2015-2016)

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Senate Bill No. 631

CHAPTER 237

An act to amend Section 1904 of, and to repeal Section 1906 of, the Public Utilities Code, relating to the Public Utilities Commission.

[Approved by Governor September 01, 2015. Filed with Secretary of State September 01, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 631, Hueso. Public Utilities Commission: fees.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities. Existing law requires the commission to charge and collect a fee of \$75 for filing each application for a certificate of public convenience and necessity, or for the mortgage, lease, transfer, or assignment of a certificate.

This bill would require a fee of \$500 for filing these applications and would authorize the commission to adjust this fee based on the Consumer Price Index.

Existing law establishes the Public Utilities Commission Utilities Reimbursement Account and generally provides that all fees and charges collected under the Public Utilities Code from each public utility, except penalties, be paid into the fund. Other existing law provides that specified fees, including, but not limited to, the fee for filing each application for a certificate of public convenience and necessity, or for the mortgage, lease, transfer, or assignment of a certificate, are required to be paid at least once each month into the State Treasury to the credit of the General Fund.

This bill would repeal the provision that requires certain fees to be paid at least once each month into the State Treasury to the credit of the General Fund.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1904 of the Public Utilities Code is amended to read:

1904. The commission shall also charge and collect the following fees:

(a) Except as otherwise provided in Section 1036 for filing each application for a certificate of public convenience and necessity, or for the mortgage, lease, transfer, or assignment thereof, five hundred dollars (\$500). The commission may adjust this fee based on the Consumer Price Index.

(b) For a certificate authorizing an issue of bonds, notes, or other evidences of indebtedness, two dollars (\$2) for each one thousand dollars (\$1,000) of the face value of the authorized issue or fraction thereof up to one million dollars (\$1,000,000), one dollar (\$1) for each one thousand dollars (\$1,000) over one million dollars (\$1,000,000) and up to ten million dollars (\$10,000,000), and fifty cents (\$0.50) for each one thousand dollars (\$1,000) over ten million dollars (\$10,000,000), with a minimum fee in any case of fifty dollars (\$50). No fee need be paid on such portion of any such issue as may be used to guarantee, take over, refund, discharge, or retire any stock, bond, note, or other evidence of indebtedness on which a fee has theretofore been paid to the commission. If the commission modified the amount of the issue requested in any case and the applicant thereupon elects not to avail itself of the commission's authorization, no fee shall be paid, and if such fee is paid prior to the issuance of such certificate by the commission, such fee shall be returned.

SEC. 2. Section 1906 of the Public Utilities Code is repealed.