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LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

04/25/2014 12:38 PM

Senator Simpson moved the following:

Senate Amendment

Delete lines 39 - 76

and insert:

(1) (a) If the commission receives a letter from the customers of a utility stating their intent to file a petition pursuant to this section, the commission staff, within 10 days after receipt of the letter, shall notify the utility of the customers' intent to file a petition.

(b) Commission staff shall send to the customers



11 instructions regarding the information required on the petition
12 and the subsequent process the commission will follow. The
13 petition must be filed within 90 days after the receipt of the
14 instructions. Commission staff shall review the petition and
15 notify the customers within 10 days after receipt of the
16 petition that the petition is sufficient for the commission to
17 act or that additional information is necessary. The customers
18 must file a cured petition within 30 days after receipt of the
19 notice to cure and provide a copy of the petition to the
20 utility. If the customers fail to file or refile a petition
21 within the allotted time, the commission shall dismiss the
22 petition with prejudice, and the customers may not file another
23 petition for 1 year after the dismissal.

24 (2) A petition must:

25 (a) State with specificity each issue that customers have
26 with the quality of water service, each time the issue was
27 reported to the utility, and how long each issue has existed;
28 and

29 (b) Be signed by at least 65 percent of the customers of
30 the service area covered under the certificate of authorization.
31 A person whose name appears on the bill for a master meter may
32 sign a petition if at least 65 percent of the customers,
33 tenants, or unit owners served by the master meter support the
34 petition, in which case documentation of such support must be
35 included with the petition.

36 (3) If the petition is in compliance with this section and
37 the issues identified within the petition support a reasonable
38 likelihood that the utility is failing to provide quality of
39 water service, the utility shall thereafter be prohibited from



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40 filing a rate case until the commission has issued a final order
41 addressing the issues identified in the petition. The utility
42 shall use