

Adopted	Rejected
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## COMMITTEE REPORT

YES:	11
NO:	0

### MR. SPEAKER:

*Your Committee on Commerce and Economic Development, to which was referred Senate Bill 490, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 10, after "eligible" insert "**distribution**".
- 2 Page 1, line 15, after "eligible" insert "**distribution**".
- 3 Page 2, line 9, after "eligible" insert "**distribution**".
- 4 Page 2, between lines 11 and 12, begin a new paragraph and insert:
- 5 "**Sec. 7. As used in this chapter, "public utility" means a:**
- 6 **(1) public utility (as defined in IC 8-1-2-1(a)); or**
- 7 **(2) municipally owned utility (as defined in IC 8-1-2-1(h))."**
- 8 Page 2, line 12, delete "Sec. 7." and insert "**Sec. 8.**".
- 9 Page 2, line 12, delete "A" and insert "**Except as provided in**
- 10 **subsection (d), a**".
- 11 Page 2, between lines 19 and 20, begin a new paragraph and insert:
- 12 "**(d) A public utility may not file a petition under this section in**
- 13 **the same calendar year in which the public utility has filed a**
- 14 **request for a general increase in the basic rates and charges of the**
- 15 **public utility.**".

- 1 Page 2, line 20, delete "Sec. 8." and insert "**Sec. 9.**".
- 2 Page 2, line 20, delete "7" and insert "**8**".
- 3 Page 2, delete lines 30 through 31, begin a new paragraph and  
4 insert:
- 5 "**(d) If the commission finds that a DSIC petition complies with**  
6 **the requirements of this chapter, the commission shall enter an**  
7 **order approving the petition.**".
- 8 Page 2, line 32, delete "Sec. 9. A" and insert "**Sec. 10. (a) Except as**  
9 **provided in subsection (b), a**".
- 10 Page 2, line 34, delete "three (3)" and insert "**twelve (12)**".
- 11 Page 2, between lines 34 and 35, begin a new paragraph and insert:  
12 "**(b) Except as provided in section 15 of this chapter, a public**  
13 **utility may not file a petition for a change in its DSIC in the same**  
14 **calendar year in which the public utility has filed a request for a**  
15 **general increase in the basic rates and charges of the public**  
16 **utility.**".
- 17 Page 2, delete line 35, begin a new paragraph and insert:  
18 "**Sec. 11. In determining an appropriate pretax return, the**  
19 **commission may consider the following factors:**".
- 20 Page 2, line 37, after "actual" insert "**regulatory**".
- 21 Page 3, line 1, delete "Sec. 11." and insert "**Sec. 12.**".
- 22 Page 3, line 9, delete "Sec. 12." and insert "**Sec. 13.**".
- 23 Page 3, line 11, delete "revenues from providing water utility  
24 service." and insert "**base revenue level approved by the commission**  
25 **in the public utility's most recent general rate proceeding.**".
- 26 Page 3, line 12, delete "Sec. 13." and insert "**Sec. 14.**".
- 27 Page 3, line 19, delete "Sec. 14." and insert "**Sec. 15.**".
- 28 Page 3, line 25, delete "Sec. 15." and insert "**Sec. 16.**".
- 29 Page 3, line 28, delete "Sec. 16." and insert "**Sec. 17.**".
- 30 Page 3, line 28, after "adopt" insert "**by rule under IC 4-22-2 or**".
- 31 Page 3, line 28, delete "or rule".
- 32 Page 3, between lines 34 and 35, begin a new paragraph and insert:  
33 "**Sec. 1. This chapter applies only to a subject area located**  
34 **entirely or partially within:**
- 35 (1) a city; or
- 36 (2) a county having a consolidated city."
- 37 Page 3, line 35, delete "Sec. 1." and insert "**Sec. 2.**".
- 38 Page 3, line 37, delete "Sec. 2." and insert "**Sec. 3.**".

- 1 Page 3, line 41, delete "Sec. 3." and insert "**Sec. 4.**".
- 2 Page 4, line 1, delete "Sec. 4." and insert "**Sec. 5.**".
- 3 Page 4, line 2, delete "5" and insert "**6**".
- 4 Page 4, line 3, delete "Sec. 5." and insert "**Sec. 6.**".
- 5 Page 4, line 4, delete "municipality:" and insert "**city or within a**
- 6 **county having a consolidated city:**".
- 7 Page 4, line 27, delete "Sec. 6." and insert "**Sec. 7.**".
- 8 Page 5, line 3, delete "Sec. 7." and insert "**Sec. 8.**".
- 9 Page 5, line 3, delete "6" and insert "**7**".
- 10 Page 5, line 7, delete "Sec. 8." and insert "**Sec. 9.**".
- 11 Page 5, line 7, delete "6" and insert "**7**".
- 12 Page 5, line 15, delete "Sec. 9." and insert "**Sec. 10.**".
- 13 Page 5, line 20, delete "Sec. 10." and insert "**Sec. 11.**".
- 14 Page 5, line 30, delete "Sec. 11." and insert "**Sec. 12.**".  
(Reference is to SB 490 as reprinted January 26, 2000.)

**and when so amended that said bill do pass.**

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Representative Bottorff