

Introduced by Senator Hueso

February 27, 2015

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

LEGISLATIVE COUNSEL'S DIGEST

SB 631, as amended, Hueso. Public Utilities Commission: fees.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities. Existing law ~~allows~~ *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 ~~instead require the fee to not exceed the reasonable costs to the commission for filing these applications. The bill would authorize the~~ *require a fee in an amount not to exceed 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.
 State-mandated local program: no.

The people of the State of California do enact as follows:

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

3 1904. The commission shall also charge and collect the
 4 following fees:

5 (a) Except as otherwise provided in Section 1036 for filing each
 6 application for a certificate of public convenience and necessity,
 7 or for the mortgage, lease, transfer, or assignment thereof, ~~an~~
 8 ~~amount not to exceed~~ five hundred *dollars* (\$500). The commission
 9 may adjust this fee based on the Consumer Price Index. ~~The fee~~
 10 ~~charged and collected pursuant to this subdivision shall not exceed~~
 11 ~~the reasonable costs to the commission for filing the application.~~

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

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

30 ~~1906. All fees collected under this chapter shall be paid, except~~
 31 ~~as provided in Chapter 6 (commencing with Section 5001) of~~

- 1 ~~Division 2, at least once each month into the State Treasury to the~~
- 2 ~~credit of the General Fund.~~

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