

**ASSEMBLY BILL**

**No. 2680**

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**Introduced by Assembly Member Fong**

February 19, 2010

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An act to amend Section 728 of the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2680, as introduced, Fong. Public utilities: rates.

Existing law authorizes the Public Utilities Commission to fix the rates and charges for every public utility in the state, and requires that those rates and charges be just and reasonable. Existing law provides that whenever the commission, after a hearing, finds that the rates charged by a public utility for services are insufficient, unlawful, unjust, unreasonable, discriminatory, or preferential, the commission is required to determine and fix, by order, the just, reasonable, or sufficient rates to be thereafter observed and in force.

This bill would make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

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

- 1 SECTION 1. Section 728 of the Public Utilities Code is
- 2 amended to read:
- 3 728. Whenever the commission, after a hearing, finds that the
- 4 rates or classifications; demanded, observed, charged, or collected
- 5 by any public utility for or in connection with any service, product,

1 or commodity, or the rules, practices, or contracts affecting ~~such~~  
2 *the* rates or classifications are insufficient, unlawful, unjust,  
3 unreasonable, discriminatory, or preferential, the commission shall  
4 determine and fix, by order, the just, reasonable, or sufficient rates,  
5 classifications, rules, practices, or contracts to be thereafter  
6 observed and in force.

7 In determining and fixing rates for a telephone corporation  
8 pursuant to this section or pursuant to Section 455, or in  
9 determining whether or not a proposed rate increase is justified  
10 pursuant to Section 454, the commission shall, among other things,  
11 take into consideration any evidence offered concerning the quality  
12 of the particular telephone corporation's services as compared with  
13 that of telephone corporations in adjacent territory, and the  
14 permissible rates for comparable service charged by telephone  
15 corporations in adjacent territory.