

SENATE BILL NO. 2134

Introduced by

Industry, Business and Labor Committee

(At the request of the Public Service Commission)

1 A BILL for an Act to amend and reenact section 49-05-02 of the North Dakota Century Code,
2 relating to unreasonable charges and refunds by a utility company.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 49-05-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **49-05-02. Right to make certain complaints limited - Excessive charges -**

7 **Refunds.**

8 1. No complaint as to the reasonableness of any rates or charges of any heat, gas,
9 electrical, water, or telecommunications utility shall be entertained by the
10 commission except when made upon its own motion, unless the same is signed by
11 the governing body of the county or city, if any, within which the alleged violation
12 occurred, or by not less than ten percent of the consumers or purchasers of such
13 heat, gas, electrical, water, or telecommunications service.

14 2. When complaint has been made to the commission or by the commission on its
15 own motion concerning the reasonableness of any rate or charge and the
16 commission has found, upon a hearing after notice given as required by law, that
17 the utility has charged an unreasonable rate the commission may order that the
18 utility make due refunds or reparations with interest from a date not earlier than the
19 date the complaint was filed.