

# HOUSE BILL No. 1202

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 8-1-13-9.

**Synopsis:** REMC provision of telecommunications services. Removes the prohibition on rural electric membership corporations furnishing telecommunications service that is not incidental to the furnishing of other utility services.

**Effective:** July 1, 1998.

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**Linder**

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January 8, 1998, read first time and referred to Committee on Commerce and Economic Development.

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Introduced

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

## HOUSE BILL No. 1202

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 8-1-13-9, AS AMENDED BY P.L.109-1995,  
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 1998]: Sec. 9. (a) The corporate purpose of each corporation  
4 formed under this chapter shall be to render services to or for the  
5 benefit of its members and no person shall become or remain a member  
6 of any local district corporation, defined in section 23 of this chapter,  
7 unless such person shall use energy supplied by such corporation and  
8 shall have complied with the terms and conditions in respect to  
9 membership contained in the bylaws of such corporation.  
10 ~~(b) Corporations may not furnish telecommunications service that~~  
11 ~~is not incidental to the furnishing of other utility services.~~  
12 ~~(c)~~ (b) A corporation may not begin water service in any area unless  
13 both of the following apply:  
14 (1) The corporation has filed a petition with the commission  
15 seeking authority to begin water service.  
16 (2) The commission has found after a hearing that public  
17 convenience and necessity require the proposed service.

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1 In connection with the petition, the commission may adopt conditions  
2 and restrictions on the area and consumers to be served that the  
3 commission finds consistent with the public interest. The commission  
4 may revoke, modify, or amend a finding of public convenience and  
5 necessity upon a showing of good cause after a hearing.

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