

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1202 be amended to read as follows:

1 Page 3, after line 5, begin a new paragraph and insert:
2 "SECTION 2. IC 8-1-13-9, AS AMENDED BY P.L.109-1995,
3 SECTION 2, IS AMENDED TO READ AS FOLLOWS[EFFECTIVE
4 JULY 1, 1998]: Sec. 9. (a) The corporate purpose of each corporation
5 formed under this chapter shall be to render services to or for the
6 benefit of its members and no person shall become or remain a member
7 of any local district corporation, defined in section 23 of this chapter,
8 unless such person shall use energy supplied by such corporation and
9 shall have complied with the terms and conditions in respect to
10 membership contained in the bylaws of such corporation.
11 ~~(b) Corporations may not furnish telecommunications service that~~
12 ~~is not incidental to the furnishing of other utility services.~~
13 ~~(c)~~ **(b)** A corporation may not begin water service in any area
14 unless both of the following apply:
15 (1) The corporation has filed a petition with the commission
16 seeking authority to begin water service.
17 (2) The commission has found after a hearing that public
18 convenience and necessity require the proposed service.
19 In connection with the petition, the commission may adopt conditions
20 and restrictions on the area and consumers to be served that the
21 commission finds consistent with the public interest. The commission
22 may revoke, modify, or amend a finding of public convenience and
23 necessity upon a showing of good cause after a hearing."
 (Reference is to HB 1202 as printed February 11, 1998.)

Senator WHEELER