

2023 -- H 5848

LC002173

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- REGULATORY POWER OF
ADMINISTRATION

Introduced By: Representative Arthur Handy

Date Introduced: March 01, 2023

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 39-3-25 of the General Laws in Chapter 39-3 entitled "Regulatory
2 Powers of Administration" is hereby amended to read as follows:

3 **39-3-25. Proceedings for approval of transactions between utilities.**

4 The proceedings for obtaining the consent and approval of the ~~division~~ commission for
5 such authority shall be as follows: There shall be filed with the ~~division~~ commission a petition,
6 joint or otherwise, as the case may be, signed and verified by the president and secretary of the
7 respective companies clearly setting forth the object and purposes desired; stating whether or not it
8 is for the purchase, sale, lease, or making of contracts or for any other purpose in § 39-3-24
9 provided; and also the terms and conditions of the same. The ~~division~~ commission shall upon the
10 filing of the petition, ~~if it deem a hearing necessary,~~ fix a time and place for the hearing thereof. ~~If,~~
11 ~~after the hearing, or, in case no hearing is required, the division is satisfied that the prayer of the~~
12 The petition ~~should~~ may not be granted; ~~that~~ unless the facilities for furnishing service to the public
13 will not thereby be diminished; and ~~that~~ the purchase, sale, or lease and the terms thereof are
14 consistent with the public interest, ~~it shall make such order in the premises as it may deem proper~~
15 ~~and the circumstances may require.~~ The public interest includes, but is not limited to, an interest in
16 rates, in competitive access to markets and elimination of all anti-competitive influence, in proper
17 administration and regulation of any utility functions, in environmental protection, in any interest
18 addressed in the petition, and in any other purpose of Rhode Island law or policy implicated by the

1 proposed transaction. The commission shall allow intervention and advocacy by any citizen,
2 business or any other group seeking to advocate on or for any such element of the public interest.
3 It shall not deny participation on the premise that private commercial interests cannot also be in the
4 public interest or that any public interest is otherwise represented by any public agency or any other
5 party. Any commission order issued under this section is subject to appellate review under § 42-
6 35-15.

7 SECTION 2. This act shall take effect upon passage.

=====
LC002173
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO PUBLIC UTILITIES AND CARRIERS -- REGULATORY POWER OF
ADMINISTRATION

- 1 This act would provide amendments to the procedures necessary for approval of
- 2 transactions between utilities.
- 3 This act would take effect upon passage.

=====
LC002173
=====