

REVISED STATUTES

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Missouri Public
Service Commission

of the
STATE OF MISSOURI

1949

Comprising all statute laws of a general and permanent nature, the Constitution of the United States, the Constitution of Missouri, and the Rules of the Missouri Supreme Court.

Revised by the Sixty-fifth General Assembly

VOLUME II

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Published by authority of Chapter 3, Revised
Statutes of Missouri, 1949

AUTHENTICATION OF THE STATUTES

State of Missouri, City of Jefferson.

Pursuant to Chapter 3, RSMo 1949, it is hereby certified that all laws printed in this book which have been enacted, re-enacted or amended from and after January 1, 1941 have been compared by the Reviser of Statutes with the original rolls of such laws as the same appear in the office of the Secretary of State of the State of Missouri; that all laws printed in this book which were enacted prior to January 1, 1941, have been compared by the Reviser of Statutes with copies of same appearing in the last previous certified revision of the statutes, to wit: the Revised Statutes of 1939, and that except for the changes in form authorized by Chapter 3, RSMo 1949, all of said laws are true and correct copies of the existing laws of the State of Missouri of a general nature.

Dated at Jefferson City, Cole County, Missouri, this
15th day of November, 1950.

EDW. D. SUMMERS,
Reviser of Statutes.

5. If any consumer to whom a meter has been furnished shall request the commission in writing to inspect such meter, the commission shall have the same inspected and tested; if the same upon being so tested shall be found to be more than four per cent if an electric meter, more than two per cent if a gas meter, or more than five per cent if a water meter, defective or incorrect to the prejudice of the consumer, the expense of such inspection and test shall be borne by the corporation, if the same on being so tested shall be found to be correct within the limits of error prescribed by the provisions of this subsection, the expense of such inspection and test shall be borne by the consumer.

6. The commission may prescribe such rules and regulations to carry into effect the provisions of this section as it may deem necessary, and shall fix uniform reasonable charges for the inspection and testing of meters upon complaint. (5648, A. 1949 H. B. 2165)

393.170. Approval of incorporation and franchises—certificate.—1. No gas corporation, electrical corporation or water corporation shall begin construction of a gas plant, electric plant or water system without first having obtained the permission and approval of the commission.

2. No such corporation shall exercise any right or privilege under any franchise hereafter granted, or under any franchise heretofore granted but not heretofore actually exercised, or the exercise of which shall have been suspended for more than one year, without first having obtained the permission and approval of the commission. Before such certificate shall be issued a certified copy of the charter of such corporation shall be filed in the office of the commission, together with a verified statement of the president and secretary of the corporation, showing that it has received the required consent of the proper municipal authorities.

3. The commission shall have the power to grant the permission and approval herein specified whenever it shall after due hearing determine that such

construction or such exercise of the right, privilege or franchise is necessary or convenient for the public service. The commission may by its order impose such condition or conditions as it may deem reasonable and necessary. Unless exercised within a period of two years from the grant thereof authority conferred by such certificate of convenience and necessity issued by the commission shall be null and void. (5649)

393.180. Right to issue stocks, bonds and notes subject to regulation.—The power of gas corporations, electrical corporations or water corporations to issue stocks, bonds, notes and other evidences of indebtedness and to create liens upon their property situated in this state is a special privilege, the right of supervision, regulation, restriction and control of which is and shall continue to be vested in the state, and such power shall be exercised as provided by law and under such rules and regulations as the commission may prescribe. (5650)

393.190. Approval of transfer of franchises.—1. No gas corporation, electrical corporation or water corporation shall hereafter sell, assign, lease, transfer, mortgage or otherwise dispose of or encumber the whole or any part of its franchise, works or system, necessary or useful in the performance of its duties to the public, nor by any means, direct or indirect, merge or consolidate such works or system, or franchises, or any part thereof, with any other corporation, person or public utility, without having first secured from the commission an order authorizing it so to do. Every such sale, assignment, lease, transfer, mortgage, disposition, encumbrance, merger or consolidation made other than in accordance with the order of the commission authorizing same shall be void. The permission and approval of the commission to the exercise of a franchise or permit under this chapter, or the sale, assignment, lease, transfer, mortgage or other disposition or encumbrance of a franchise or permit under this section shall not be construed to revive or validate any lapsed or invalid franchise or permit, or to enlarge

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