

Exhibit No. 122

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 208

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ENGLER, JETTON, LIPKE (157), MAYER,
WAGNER (Co-sponsors) AND RECTOR.

Read 1st time January 16, 2003, and copies ordered printed.

Read 2nd time January 21, 2003, and referred to the Committee on Communications, Energy and Technology January 21, 2003.

Reported from the Committee on Communications, Energy and Technology February 20, 2003, with recommendation that the bill with House Committee Amendment No. 1 Do Pass by Consent.

Perfectured by Consent March 3, 2003.

STEPHEN S. DAVIS, Chief Clerk

0941L.01P

AN ACT

To repeal section 393.110, RSMo, and to enact in lieu thereof one new section relating to the public service commission's jurisdiction of consumer-owned electric corporations.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 393.110, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 393.110, to read as follows:

393.110. **1.** Sections 393.110 to 393.285 shall apply to the manufacture and furnishing of gas for light, heat or power and the furnishing of natural gas for light, heat or power, and the generation, furnishing and transmission of electricity for light, heat or power, the supplying and distributing of water for any purpose whatsoever, and the furnishing of a sewer system for the collection, carriage, treatment or disposal of sewage for municipal, domestic or other beneficial or necessary purpose.

2. Notwithstanding any provision in chapter 386, RSMo, or this chapter to the contrary, the public service commission shall not have jurisdiction over the rates, financing, accounting, or management of any electrical corporation which is required by its bylaws to operate on the not-for-profit cooperative business plan, with its consumers who receive service as the stockholders of such corporation, and which holds a certificate of public convenience and necessity to serve a majority of its consumer-owners in counties of the third classification as of August 28, 2003. Nothing in this section shall be construed

14 **as amending or superseding the commission's authority granted in subsection 1 of section**
15 **386.310, RSMo, in section 393.106, and sections 386.800 and 394.312,RSMo.**