

CCS#2 HCS SCS SB 720 – UTILITY REGULATIONS AND RECYCLING OF COMPUTERS

This bill changes the laws regarding utility regulations and recycling of computers. In its main provisions, the bill:

(1) Authorizes the Missouri Public Service Commission to grant approval, which will have the same effect as approval granted prior to construction of an electric generating facility, to an existing electric generating facility located in Cass County if the commission determines that the approval is necessary or convenient for the public service. Retroactive approval will not modify or limit any existing lawsuit. Constructing an electric plant unlawfully after August 28, 2008, will result in triple the actual damages and recovery of attorney fees and costs. The electric generating facility will not be allowed to recover any legal expenses through rate increases imposed upon their customers;

(2) Increases, from \$600 to \$800, the maximum allowable financial assistance for heating and cooling expenses from the Utilicare Stabilization Fund administered by the Department of Social Services per eligible household per fiscal year and removes the \$5 million cap on the annual appropriation to the fund. The department must apply a portion of the moneys from the fund to the Low Income Weatherization Assistance Program of the Department of Natural Resources;

(3) Prohibits natural gas and electricity providers from June 1 to September 30 from disconnecting service on days when the temperature is predicted by the National Weather Service's local forecast, issued for 6:00 a.m. to 9:00 p.m., to rise above 95 degrees Fahrenheit or the heat index is expected to rise above 105 degrees Fahrenheit for the following 24-hour period or on days when service personnel will be unable to reconnect service and the temperature is expected to rise to the regulated levels. The Missouri Public Service Commission may also limit disconnection practices by rule; and

(4) Establishes the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act in which the Department of Natural Resources will approve recovery plans for the recycling of computers. Manufacturers of computers are required to adopt and implement a recovery plan and submit a copy to the department prior to offering merchandise for sale. Certain labeling requirements are mandated, and the department can conduct compliance audits. The department may impose penalties for violations of its rules. A second violation will be subject to a fine of up to \$10,000, and subsequent violations will be subject to a fine of up to \$25,000. The department will provide a web site of manufacturer recovery plans for consumers and will establish rules to implement this act by July 1, 2009.

The provisions regarding the Missouri Public Service Commission's authority to grant retroactive approval expires on August 28, 2009.