**South Carolina General Assembly**

124th Session, 2021-2022

**S. 344**

**STATUS INFORMATION**

General Bill

Sponsors: Senators McLeod, Shealy, Matthews, Fanning, Jackson, Senn, Harpootlian and Stephens

Document Path: l:\council\bills\jn\3309ph21.docx

Companion/Similar bill(s): 3683, 4149

Introduced in the Senate on January 12, 2021

Currently residing in the Senate Committee on **Judiciary**

Summary: Ratepayer Protection Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 Senate Prefiled

12/9/2020 Senate Referred to Committee on **Judiciary**

1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 277](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 277](file:///h:\sj\20210112.docx))

5/6/2021 Senate Referred to Subcommittee: Senn (ch), Matthews, McLeod, Garrett, M.Johnson

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\344_20201209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “RATEPAYER PROTECTION ACT”; TO AMEND SECTION 58‑5‑240, RELATING TO FILING SCHEDULES OF PROPOSED RATES AND THE LIKE FOR GAS, HEAT, WATER, SEWAGE COLLECTION AND DISPOSAL, AND STREET RAILWAY COMPANIES, SO AS TO REQUIRE THE PUBLIC SERVICE COMMISSION TO SUSPEND THE PROCESS BY WHICH A PUBLIC UTILITY SEEKS A CHANGE IN RATE, TOLL, RENTAL, CHARGE, OR CLASSIFICATION DURING A DECLARED STATE OF EMERGENCY; AND TO AMEND SECTION 58‑27‑870, RELATING TO FILING SCHEDULES OF PROPOSED RATES AND THE LIKE FOR ELECTRIC UTILITIES, SO AS TO REQUIRE THE PUBLIC SERVICE COMMISSION TO SUSPEND THE PROCESS BY WHICH A PUBLIC UTILITY SEEKS A CHANGE IN RATE, TOLL, RENTAL, CHARGE, OR CLASSIFICATION DURING A DECLARED STATE OF EMERGENCY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act must be known and may be cited as the “Ratepayer Protection Act”.

SECTION 2. Section 58‑5‑240 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) Notwithstanding the provisions of this section, upon the declaration of a state of emergency issued by a duly authorized state or federal official, the commission shall temporarily suspend the process by which a public utility seeks a change in rate, toll, rental, charge, or classification for jurisdictions subject to the declared state of emergency. A public utility is prohibited from enacting a change in rate, toll, rental, charge, or classification, otherwise allowable under this section, until the declaration of a state of emergency is terminated during a declared state of emergency as described above:

(1) all timelines outlined in this article are suspended until the termination of the declared state of emergency, upon which the commission or public utility may resume the process at the point of interruption by the declared state of emergency;

(2) a public utility that requests a change in rate, toll, rental, charge, or classification prior to a declared state of emergency cannot increase the request upon expiration of the declared state of emergency; and

(3) if a change in rate, toll, rental, charge, or classification is initiated prior to and granted at the expiration of the declared state of emergency, the new rate, toll, rental, charge, or classification cannot go into effect until one year after the expiration of the declared state of emergency.”

SECTION 3. Section 58‑27‑870 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) Notwithstanding the provisions of this section, upon the declaration of a state of emergency issued by a duly authorized state or federal official, the commission shall temporarily suspend the process by which a public utility seeks a change in rate, toll, rental, charge, or classification for jurisdictions subject to the declared state of emergency. A public utility is prohibited from enacting a change in rate, toll, rental, charge, or classification, otherwise allowable under this section, until the declaration of a state of emergency is terminated during a declared state of emergency as described above:

(1) all timelines outlined in this article are suspended until the termination of the declared state of emergency, upon which the commission or public utility may resume the process at the point of interruption by the declared state of emergency;

(2) a public utility that requests a change in rate, toll, rental, charge, or classification prior to a declared state of emergency cannot increase the request upon expiration of the declared state of emergency; and

(3) if a change in rate, toll, rental, charge, or classification is initiated prior to and granted at the expiration of the declared state of emergency, the new rate, toll, rental, charge, or classification cannot go into effect until one year after the expiration of the declared state of emergency.”

SECTION 4. This act takes effect upon approval by the Governor.

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