

VIRGINIA ACTS OF ASSEMBLY -- 1996 SESSION

CHAPTER 15

An Act to amend and reenact § 56-265.13:6 of the Code of Virginia, relating to the Small Water or Sewer Public Utility Act; Commission authority regarding rate changes.

[H 370]

Approved February 28, 1996

Be it enacted by the General Assembly of Virginia:

1. That § 56-265.13:6 of the Code of Virginia is amended and reenacted as follows:

§ 56-265.13:6. Public hearing on application; prohibition of multiple rate increases within any twelve-month period.

A. Upon application to the Commission by at least twenty-five percent of all customers affected by a rate change or by 250 affected customers, whichever number is lesser, or by the small water or sewer utility itself, or by the Commission, upon its own motion, a hearing shall be held after at least thirty days' notice to the small water or sewer utility and to its customers. The Commission may order such improvements or changes in service, ~~regulations~~, measurements, practices, acts, ~~and~~ rates, *charges, fees, and rules and regulations* of such utility as are just and reasonable.

When a hearing is ordered, the Commission shall have the authority to suspend such rates, ~~tolls, and~~ charges, *fees, and rules and regulations* for no more than sixty days ~~and~~ or to declare them to be interim ~~thereafter and~~ , or both. *Interim rates, fees, and charges shall be* subject to refund with interest until such time as the Commission has made its final determination in the proceeding. Upon completion of the hearing and decision, the Commission may order such public utility to refund, with interest at a rate set by the Commission, the portion of such rates, ~~tolls, or~~ charges, *or fees* found not justified by its decision.

B. A small water or sewer utility shall not implement an increase in the utility's rates or charges more than once within any twelve-month period. This limitation shall not prohibit applications for increases in rates or charges pursuant to § 56-245.