

Session 122 - (2017-2018)

H*4375 (Rat #0287, Act #0258 of 2018) General Bill, By McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J.E. Smith, Sandifer, Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, Robinson-Simpson, V.S. Moss, Clyburn, Martin, Magnuson, Bennett, Arrington, Daning, Weeks, Henderson and Govan

Summary: Utility Plants and projects, rates

AN ACT TO AMEND SECTION 58-33-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS UNDER THE BASE LOAD REVIEW ACT, SO AS TO ADD CERTAIN DEFINITIONS; TO PROVIDE THAT THE PUBLIC SERVICE COMMISSION MUST NOT ACCEPT A BASE LOAD REVIEW APPLICATION, NOR MAY IT CONSIDER ANY REQUESTS MADE PURSUANT TO ARTICLE 4, CHAPTER 33, TITLE 58, OTHER THAN IN A DOCKET CURRENTLY PENDING BEFORE THE COMMISSION, AND TO PROVIDE THAT THE PROVISIONS OF ARTICLE 4, CHAPTER 33, TITLE 58 ARE REPEALED UPON THE CONCLUSION OF LITIGATION CONCERNING THE ABANDONMENT OF V.C. SUMMER UNITS 2 AND 3; BY ADDING CHAPTER 34 TO TITLE 58 SO AS TO PROVIDE FOR THE MANNER IN WHICH AND PROCEDURES UNDER WHICH ELECTRICITY RATES FOR CERTAIN RATEPAYERS WHO ARE PAYING ADDITIONAL CHARGES UNDER THE BASE LOAD REVIEW ACT FOR THE CONSTRUCTION OF NUCLEAR PLANTS OR PROJECTS SHALL BE REVISED AND DETERMINED, AND TO PROVIDE FOR PROCEDURES AND PROVISIONS OF LAW WHICH APPLY AND DO NOT APPLY IN REGARD TO THE ADJUSTMENT OF ELECTRICITY RATES AS PROVIDED BY CHAPTER 34; TO AMEND SECTION 58-33-280, RELATING TO REQUESTS FOR APPROVAL OF REVISED RATES UNDER THE BASE LOAD REVIEW ACT, SO AS TO DELETE THE REQUIREMENT THAT THE COMMISSION MUST GIVE SUBSTANTIAL WEIGHT TO AN AGREEMENT WHERE BOTH THE OFFICE OF REGULATORY STAFF AND THE UTILITY AGREE ON THE REVISED RATES AND INSTEAD PROVIDE IN THIS INSTANCE THAT THE COMMISSION MAY GIVE WEIGHT TO THE AGREEMENT IN ISSUING ITS REVISED RATES ORDER BUT MAY CONSIDER ADDITIONAL FACTORS AT ITS DISCRETION; TO AMEND SECTION 37-6-602, RELATING TO THE QUALIFICATIONS OF THE CONSUMER ADVOCATE WITHIN THE DEPARTMENT OF CONSUMER AFFAIRS, SO AS TO REVISE THESE QUALIFICATIONS; TO AMEND SECTION 37-6-604, RELATING TO THE FUNCTIONS AND DUTIES OF THE DIVISION OF CONSUMER ADVOCACY, SO AS TO DELETE A PROHIBITION AGAINST THE DIVISION REPRESENTING CONSUMERS IN UTILITY MATTERS, AND PERMIT THE CONSUMER ADVOCATE TO INTERVENE ON BEHALF OF CONSUMERS IN CERTAIN MATTERS BEFORE THE COMMISSION AND APPELLATE COURTS THAT AFFECT CONSUMERS; TO AMEND SECTION 37-6-607, RELATING TO PERMITTING THE CONSUMER ADVOCATE TO MAINTAIN ACTIONS FOR JUDICIAL REVIEW AND TO INTERVENE IN CIVIL PROCEEDINGS ON BEHALF OF CONSUMERS, SO AS TO DELETE LANGUAGE WHICH PROVIDES THAT THE ABOVE PROVISIONS DO NOT APPLY IN MATTERS ARISING UNDER TITLE 58 AFFECTING PUBLIC UTILITIES, SERVICES, AND CARRIERS; TO AMEND SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF, SO AS FURTHER DEFINE THE TERM "PUBLIC INTEREST" IN REGARD TO THE OFFICE OF REGULATORY STAFF'S REPRESENTATION OF THE PUBLIC INTEREST BEFORE THE COMMISSION; TO AMEND SECTION 58-4-80, RELATING TO ACTIONS FOR JUDICIAL REVIEW OF ORDERS OF THE COMMISSION, SO AS TO PROVIDE THAT ON APPEAL, THE OFFICE OF REGULATORY STAFF DOES NOT REPRESENT THE COMMISSION; AND TO AMEND SECTION 58-4-55, RELATING TO THE PRODUCTION OF BOOKS, RECORDS, AND INFORMATION AS REQUIRED BY THE OFFICE OF REGULATORY STAFF, AND OTHER PROVISIONS RELATING TO NONCOMPLIANCE, INSPECTIONS, AUDITS, EXAMINATIONS, AND COSTS, SO AS TO REQUIRE SUCH PRODUCTION WITHOUT THE REQUIREMENT OF A CONFIDENTIALITY AGREEMENT OR PROTECTIVE ORDER, EXCEPT UNDER SPECIFIED CIRCUMSTANCES, TO PROVIDE WHEN SUCH INFORMATION MUST BE KEPT CONFIDENTIAL AND WHEN SUCH INFORMATION MAY BE DISCLOSED, TO PROVIDE SPECIFIC PROCEDURES TO PROTECT CONFIDENTIALITY, AND TO ALLOW THE OFFICE OF REGULATORY STAFF TO APPLY IN CIRCUIT COURT FOR SUBPOENAS TO BE ISSUED TO ENTITIES OVER WHICH THE COMMISSION DOES NOT HAVE JURISDICTION. - ratified title

11/09/17 House Prefiled

11/09/17 House Referred to Committee on Judiciary

01/09/18 House Introduced and read first time (House Journal-page 86)

01/09/18 House Referred to Committee on Judiciary (House Journal-page 86)

01/10/18 House Member(s) request name added as sponsor: Martin, Magnuson, Bennett, Arrington

01/10/18 House Committee report: Favorable with amendment Judiciary (House Journal-page 24)

01/11/18 House Member(s) request name added as sponsor: Daning

01/11/18 Scrivener's error corrected

01/16/18 House Debate adjourned until Wednesday, January 17, 2018
01/23/18 House Member(s) request name added as sponsor: Weeks
01/24/18 House Debate adjourned until Thur., 1-25-18 (House Journal-page 47)
01/25/18 House Debate adjourned until Tues., 1-30-18 (House Journal-page 29)
01/25/18 House Member(s) request name added as sponsor: Henderson
01/30/18 House Debate adjourned until Wed., 1-31-18 (House Journal-page 14)
01/31/18 House Member(s) request name added as sponsor: Govan
01/31/18 House Amended (House Journal-page 10)
01/31/18 House Read second time (House Journal-page 16)
01/31/18 House Roll call Yeas-119 Nays-1 (House Journal-page 24)
02/01/18 House Read third time and sent to Senate (House Journal-page 13)
02/01/18 House Roll call Yeas-114 Nays-1 (House Journal-page 13)
02/01/18 Senate Introduced and read first time (Senate Journal-page 4)
02/01/18 Senate Referred to Committee on Judiciary (Senate Journal-page 4)
02/01/18 Scrivener's error corrected
02/20/18 Senate Referred to Subcommittee: Rankin (ch), Hutto, Massey, McElveen, Sabb, Gambrell, Climer
05/01/18 Senate Committee report: Favorable with amendment Judiciary (Senate Journal-page 13)
05/02/18 Scrivener's error corrected
05/08/18 Senate Special order, set for May 8, 2018 (Senate Journal-page 83)
05/09/18 Senate Committee Amendment Adopted (Senate Journal-page 149)
05/09/18 Senate Amended (Senate Journal-page 149)
05/09/18 Senate Read second time (Senate Journal-page 149)
05/10/18 Scrivener's error corrected
05/10/18 Senate Amended (Senate Journal-page 160)
05/10/18 Senate Read third time and returned to House with amendments (Senate Journal-page 160)
05/10/18 Senate Roll call Ayes-43 Nays-0 (Senate Journal-page 160)
05/10/18 House Senate amendment amended (House Journal-page 99)
05/10/18 House Returned to Senate with amendments (House Journal-page 99)
05/10/18 Senate Non-concurrence in House amendment (Senate Journal-page 172)
05/10/18 Senate Conference committee appointed Setzler, Rankin, Massey (Senate Journal-page 174)
05/10/18 House Conference committee appointed McCoy, Finlay, Rutherford (House Journal-page 143)
06/27/18 House Conference report received and adopted (House Journal-page 67)
06/27/18 House Roll call Yeas-109 Nays-4 (House Journal-page 77)
06/27/18 Senate Conference report received and adopted (Senate Journal-page 25)
06/27/18 Senate Roll call Ayes-37 Nays-2 (Senate Journal-page 25)
06/27/18 Senate Ordered enrolled for ratification (Senate Journal-page 39)
06/28/18 Ratified R 287
06/28/18 Vetoed by Governor
06/28/18 House Veto overridden by originating body Yeas-110 Nays-1 (House Journal-page 29)
06/28/18 Senate Veto overridden Ayes-39 Nays-0 (Senate Journal-page 58)
07/05/18 Effective date See Act
07/12/18 Act No. 258