

**State of Tennessee**  
**PUBLIC CHAPTER NO. 141**

**SENATE BILL NO. 764**

**By Southerland**

Substituted for: House Bill No. 60

By Kane

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 82 and Title 68, relative to utilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 7-82-307(b)(3)(A)(i)(a) and (c), are amended by deleting the language "unaccounted for" wherever it appears.

SECTION 2. Tennessee Code Annotated, Section 7-82-401(h)(1), is amended by deleting the language "average unaccounted for water" and substituting instead the language "water loss" and by deleting the language "unaccounted for" wherever it appears.

SECTION 3. Tennessee Code Annotated, Section 7-82-401(i), is amended by deleting the subsection and substituting instead the following:

(i) By February 1 of each year, the comptroller of the treasury shall provide a written report to the speaker of the house of representatives and the speaker of the senate listing the average annual water loss contained in the annual audit for those utility districts described in subsection (h).

SECTION 4. Tennessee Code Annotated, Section 7-82-702(16), is amended by deleting the language "unaccounted for" wherever it appears.

SECTION 5. Tennessee Code Annotated, Section 7-82-709(b), is amended by deleting the language "unaccounted for" wherever it appears.

SECTION 6. Tennessee Code Annotated, Section 68-221-1009(a)(7) and (8), are amended by deleting the language "unaccounted for" wherever it appears.

SECTION 7. Tennessee Code Annotated, Section 68-221-1010(d)(1), is amended by deleting the language "unaccounted for" wherever it appears.

SECTION 8. Tennessee Code Annotated, Section 68-221-1012(b), is amended by deleting the language "average unaccounted for".

SECTION 9. Tennessee Code Annotated, Section 7-82-102(a)(1), is amended by deleting the section and substituting instead the following:

(1) Except as to those districts coming within § 7-82-103(b)(2), in addition to any other procedure provided by law for the review of the actions of the board of commissioners, there is hereby granted to the utility management review board the authority to review rates charged and services provided by public utility districts. The review provided for in this subsection (a) can only be initiated by a petition containing the genuine signatures of at least ten percent (10%) of the customers within the authorized area of the public utility district.

(A) To be considered by the board, the customer or customers initiating the petition must file a letter of intent to compile and file the petition with the board before the petition is signed. All signatures of customers on the petition must have been obtained within ninety (90) days of the date the notice of intent to compile and file petition is filed with the board. Each customer signing the petition shall include the address at which the customer receives utility service and the date the customer signed the petition. The petition shall be addressed to the utility management review board and a copy of the petition shall be served upon the board of commissioners of the affected utility district. The petition must contain the genuine signatures of the

customers of the utility district. All information submitted in the petition must be legible.

(B) Upon receipt of the petition, the board shall verify the names and addresses of the signers of the petition to ensure that they are bona fide customers of the utility district and to ensure that all signatures have been obtained within ninety (90) days of the date the notice of intent to compile and file petition is filed with the board. As used in this part, "customer" means a person who receives a bill for utility services and pays money for such services. Each utility account shall be entitled to one (1) signature, but no person shall sign the petition more than once. Only one (1) petition to review the rates and services provided under this section can be filed in any twelve-month period. The review by the utility management review board shall be held only upon public hearings, after notice.

SECTION 10. Tennessee Code Annotated, Section 7-82-102(a)(3), is amended by deleting the word "users" wherever it appears and substituting instead the word "customers".

SECTION 11. Tennessee Code Annotated, Section 7-82-307(b)(1)(A), is amended by inserting the language "The petition must contain the genuine signatures of the customers of the utility district. All information submitted in the petition must be legible." after the sentence that currently reads "All signatures of customers on the petition must have been obtained within ninety (90) days of the date the notice of intent to compile and file petition is filed with the board."; and further amend by deleting the word "status" and substituting instead the word "addresses".

SECTION 12. Tennessee Code Annotated, Section 7-82-402(a)(1), is amended by deleting the language "user" wherever it appears and by substituting instead the language "customer", and further amend by adding the following language at the end of the subdivision:

For the purposes of this part, "customer" means a person who receives a bill for water services and pays money for such services.

SECTION 13. Tennessee Code Annotated, Section 68-221-1010(d), is amended by adding the following language as a new subdivision:

(3) By February 1 of each year, the comptroller of the treasury shall provide a written report to the speaker of the house of representatives and the speaker of the senate listing the average annual water loss contained in the annual audit for those utility systems described in § 68-221-1007.

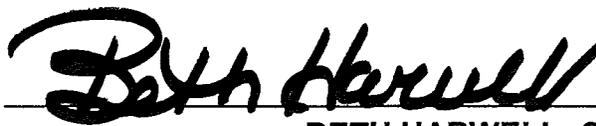
SECTION 14. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 764

PASSED: March 25, 2013



RON RAMSEY  
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 12<sup>th</sup> day of April 2013



BILL HASLAM, GOVERNOR