

COUNCIL OF THE DISTRICT OF COLUMBIA

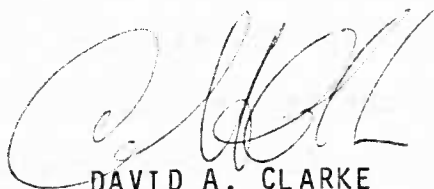
NOTICE

D.C. LAW 5-104

"District of Columbia Public Service Commission's Assessment Authority Clarification Amendment Temporary Act of 1984".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 5-411 on first and second readings, April 30, 1984 and May 15, 1984, respectively. Following the signature of the Mayor on June 6, 1984, this legislation was assigned Act No. 5-145, published in the June 22, 1984 edition of the D.C. Register, (Vol. 31 page 3037) and transmitted to Congress June 8, 1984 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 5-104, effective August 10, 1984.



DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

June 8,11,12,13,14,15,18,19,20,21,22,25,26,27,28,29

July 23,24,25,26,27,30,31

August 1,2,3,6,7,8,9

D.C. LAW 5 - 104

AN ACT

EFFECTIVE  
DATE AUG 10 1984

D.C. ACT 5 - 145

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUN - 6 1984

To amend, on a temporary basis, the Public Service Commission's ("Commission") authority to assess public utilities for the expenses of litigation, including attorneys' fees, incurred by the Office of the People's Counsel in matters arising from proceedings before the Commission.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Public Service Commission's Assessment Authority Clarification Amendment Temporary Act of 1984".

Sec. 2. Paragraph 42(a) of section 8 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 984; D.C. Code, sec. 43-612(a)), is amended to read as follows:

"Par. 42. (a) The expenses, including the expenses of the Office of the People's Counsel, of any investigation, valuation, revaluation, or proceeding of any nature by the Public Service Commission of or concerning any public utility operating in the District of Columbia, and all expenses including the expenses of the Office of the People's Counsel of any litigation, including appeals, arising from any such investigation, valuation, revaluation,

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or proceeding, or from any order or action of the Commission, shall be borne by the public utility investigated, valued, revalued, or otherwise affected as a special franchise tax in addition to all other taxes imposed by law, and such expenses with interest at 6 per centum per annum may be charged to operating expenses and amortized over such period as the Commission shall deem proper and be allowed for in the rates to be charged by such utility. When any such investigation, valuation, revaluation, or other proceeding is begun the said Public Service Commission may call upon the utility in question for the deposit of such reasonable sum or sums as in the opinion of said Commission it may deem necessary from time to time until the said proceeding or the litigation arising therefrom is completed, the money so paid to be deposited in the Treasury of the United States to the credit of the appropriation account known as 'miscellaneous trust fund deposit, District of Columbia' and to be disbursed in the manner provided for by law for other expenditures of the government of the District of Columbia, for such purposes as may be approved by the Public Service Commission; or certified by the People's Counsel with respect to his expenses. For purposes of this section, the term 'expenses' includes, but is not limited to, the cost of independent contractors, such as attorneys. Any unexpended balance of such sum or sums so deposited shall be returned to the utility depositing the same: PROVIDED, That the amount expended by the Commission and the People's Counsel, combined in any valuation or rate

case shall not exceed one-half of 1 per centum of the existing valuation of the company investigated, and that the amount expended in all other investigations shall not exceed one-tenth of 1 per centum of the existing valuation for any one company for any one year."

Sec. 3. (a) This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).

(b) This act shall expire on the 180th day following its having taken effect or on the day following the effective date of the District of Columbia Public

Service Commission's Assessment Authority Clarification

Amendment Act of 1984, whichever occurs earlier.

*Nashie P. Hunter*

Chairman  
Council of the District of Columbia

*M. L. Berry*

Mayor  
District of Columbia

APPROVED: June 6, 1984



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
Council Period Five — Second Session

**RECORD OF OFFICIAL COUNCIL VOTE**

DOCKET NO: B 5-411

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 4-30-84

VOICE VOTE: Unanimous

Recorded vote on request

Absent: Winter and Ray

ROLL CALL VOTE: — RESULT \_\_\_\_\_ ( / / )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

*Russell Suter*  
Secretary to the Council

5/22/84  
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 5-15-84

VOICE VOTE: Unanimous

Recorded vote on request

Absent: Clarke

ROLL CALL VOTE: — RESULT \_\_\_\_\_ ( / / )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

*Russell Suter*  
Secretary to the Council

5/20/84  
Date

Item on Consent Calendar

ACTION & DATE: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: — RESULT \_\_\_\_\_ ( / / )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
Date