

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **House Bill 4382**

BY DELEGATES REYNOLDS, FAIRCLOTH, FLUHARTY,  
HICKS, MOFFATT, FOLK, SKINNER, BYRD, PHILLIPS,  
ELDRIDGE AND BLACKWELL

[Introduced February 3, 2016; Referred  
to the Committee on the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new a section,  
 2 designated §24-2-11, relating to prohibiting fuel surcharges in certain instances; and  
 3 providing for rule-making.

*Be it enacted by the Legislature of West Virginia:*

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
 2 section, designated §24-2-11, to read as follows

**ARTICLE 2. POWERS AND DUTIES OF PUBLIC SERVICE COMMISSION.**

**§24-2-11. Fuel surcharges; rule-making.**

1 (a) Notwithstanding any provision of this code to the contrary, no surcharge relating to fuel  
 2 costs, or the cost of fuel, may remain in effect, be charged or collected by a public utility or other  
 3 entity under the jurisdiction of the Public Service Commission when those fuel costs that  
 4 precipitated the surcharge decrease by twenty-five per cent or more.

5 (b) The commission shall promulgate rules pursuant to article three, chapter twenty-nine-  
 6 a of this code to implement this section.

NOTE: The purpose of this bill is to prohibit fuel surcharges in certain instances. The bill provides for rule-making.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.