

R.S. 48:2-21.1

June 14, 1973

LEGISLATIVE HISTORY OF R.S.48:2-21.1
(Adjustment of rates during pendance of hearing)

L.1935 - chap.49 - S106

Jan. 28 - Introduced by Senator Barbour.
Feb. 12 - Passed in Senate, amended.
Feb. 26 - Passed in Assembly.
Mar. 5 - Approved, chapter 49.
Amended (copy enclosed).
Statement (copy enclosed).

1937 Revision (L1935 c49)

This law₁ was passed after the first draft of the statutes was published. The wording is identical in the second and final drafts.

Amended by:

L.1962 - chap.198 - A486.

Mar. 19 - Introduced by Keegan.
Apr. 16 - Passed Assembly under emergency resolution, amended.
June 4 - Passed in Senate, amended.
Dec. 3 - Senate amendment passed in Assembly.
Dec. 12 Approved, chapter 198.

The Statement and amendments are not enclosed because they do not pertain to this section. The only change made in 48:2-21.1 was to substitute the word "petition" for the word "complaint" in the first sentence.

No hearings or reports or additional material was located.

JH/EH
Encl.

STATE OF NEW JERSEY

INTRODUCED JANUARY 28, 1935

By Mr. BARBOUR

Referred to Committee on Judiciary

A SUPPLEMENT to an act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven.

1 **BE IT ENACTED** by the Senate and General Assembly of the State of New
2 Jersey:

1 1. The Board of Public Utility Commissioners is hereby empowered,
2 during the pendency of any hearing instituted by it, on its own initiative or
3 on complaint, in which the approval or fixing of reasonable tariffs, tolls, rates
4 or charges is in issue, or at any other time, to negotiate and agree with any
5 public utility for an adjustment of the tariffs, tolls, rates or charges for any
6 product or service rendered by such public utility. Such adjustment may
7 be for, or without, a specified limit of time. In no event shall any such ad-
8 justment be regarded as contractual. Such adjustment shall at all times be
9 subject to change through the proceedings provided for by the act to which
10 this act is a supplement, or through negotiation and agreement under this
11 act. The Board as a part of any such negotiation and adjustment shall pro-
12 vide for the continuance, suspension or other disposition of any hearing of
13 the character aforesaid then pending.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to give specific sanction to the adjustment of rates through negotiation and agreement and to prevent agreement on rate adjustments from automatically ending pending proceedings.

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1 **BE IT ENACTED** *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. The Board of Public Utility Commissioners is hereby empowered,
2 during the pendency of any hearing instituted by it, on its own initiative or
3 on complaint, in which the approval or fixing of just and reasonable in-
4 dividual rates, joint rates, tolls, charges or schedules thereof, as well as
5 commutation, mileage or other special rates is in issue, or at any other time, to
6 negotiate and agree with any public utility for an adjustment of the in-
7 dividual rates, joint rates, tolls, charges or schedules thereof, as well as com-
8 mutation, mileage or other special rates for any product or service supplied
9 or rendered by such public utility. Such adjustment may be for, or without,
10 a specified limit of time. In no event shall any such adjustment be regarded
11 as contractual. Such adjustment shall at all times be subject to change
12 through the proceedings provided for by the act to which this act is a supple-
13 ment, or through negotiation and agreement under this act. The Board as a
14 part of any such negotiation and adjustment shall provide for the contin-
15 uance, suspension or other disposition of any hearing of the character afore-
16 said then pending.

1 2. This act shall take effect immediately.

SENATE NO. 100

STATEMENT

The purpose of this bill is to give specific sanction to the adjustment of rates through negotiation and agreement and to prevent agreement on rate adjustments from automatically ending pending proceedings.