

MISSISSIPPI CODE of 1972

\*\*\* Current through the 2011 Regular Session and 1st Extraordinary Session \*\*\*

TITLE 77. PUBLIC UTILITIES AND CARRIERS  
CHAPTER 3. REGULATION OF PUBLIC UTILITIES  
ARTICLE 1. CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY; RATES; SERVICE

Miss. Code Ann. § 77-3-11 (2011)

§ 77-3-11. Certificate of public convenience and necessity required; exceptions; complaints prompting hearing as to adequacy of service

(1) No person shall construct, acquire, extend or operate equipment for manufacture, mixing, generating, transmitting or distributing natural or manufactured gas, or mixed gas, or water, for any intrastate sale to or for the public for compensation, or for the operation of a public utility operating a business and equipment or facilities as contemplated by subparagraph (iii) of paragraph (d) of Section 77-3-3, without first having obtained from the commission a certificate that the present or future public convenience and necessity require or will require the operation of such equipment or facility.

(2) No person shall construct, acquire, extend or operate equipment for manufacture, generating, transmitting or distributing electricity for any intrastate or interstate sale to or for the public for compensation without first having obtained from the commission a certificate that the present and future public convenience and necessity require or will require the operation of such equipment or facility. Provided, however, nothing herein contained shall be construed to require a joint municipal electric power agency organized in accordance with the provisions of Section 77-5-201 et seq., Mississippi Code of 1972, to obtain any permit, license, certificate or approval from the Mississippi Public Service Commission.

(3) No person shall construct, acquire, extend or operate equipment or facilities for collecting, transmitting, treating or disposing of sewage, or otherwise operating an intrastate sewage disposal service, to or for the public for compensation, without first having obtained from the commission a certificate that the present or future public convenience and necessity require or will require the operation of such equipment or facilities.

(4) However, nothing herein shall be construed to require any certificate of convenience and necessity from the commission for the production and gathering of natural gas, the sale of natural gas in or within the vicinity of the field where produced, the distribution or sale of liquefied petroleum gas, the sale of natural gas to the ultimate consumer for use as a motor vehicle fuel, or for the facilities and equipment utilized in any such operations.

(5) Upon complaints filed by not less than ten percent (10%) of the total subscribers or three thousand five hundred (3,500) subscribers of a public utility, whichever is less, then the commission shall hold a hearing on the adequacy of service as contemplated in Section 77-3-21.

**HISTORY:** SOURCES: Codes, 1942, §§ 7716-05, 7716-45; Laws, 1956, ch. 372, § 5; Laws, 1968, ch. 502, § 3; Laws, 1983, ch. 467, § 9; Laws, 1985, ch. 446; Laws, 1990, ch. 530, § 38; Laws, 1993, ch. 304, § 2, eff from and after July 1, 1993.