

HOUSE BILL NO. 1062

Introduced by

Energy and Natural Resources Committee

(At the request of the Public Service Commission)

1 A BILL for an Act to amend and reenact section 49-04-07 of the North Dakota Century Code,
2 relating to unreasonable preferences or advantages from public utilities; and to repeal sections
3 49-04-08, 49-04-09, and 49-04-10 of the North Dakota Century Code, relating to regulation of
4 common carriers relating to permissible discrimination, long and short hauls, and freight
5 pooling.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. AMENDMENT.** Section 49-04-07 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **49-04-07. Unreasonable preferences or advantages prohibited.**

10 No public utility shall make or give any undue or unreasonable preference or advantage to
11 any particular person, company, firm, corporation, limited liability company, or locality, or to any
12 particular character of ~~traffic~~ or service in any respect whatsoever, nor subject any particular
13 person, firm, corporation, limited liability company, company, or locality, or any particular
14 character of ~~traffic~~ or service to any undue or unreasonable prejudice or disadvantage in any
15 respect. No public utility corporation, directly or indirectly, by any special rate, rebate, drawback,
16 or other device or method, shall charge, demand, collect, or receive from any person, firm,
17 corporation, or limited liability company a greater or less compensation for any service rendered
18 or to be rendered than it charges, demands, collects, or receives from any other person, firm,
19 corporation, or limited liability company for doing a like and contemporaneous service under the
20 same or substantially similar circumstances and conditions. Nothing in this chapter shall prohibit
21 a public utility from entering into any reasonable agreement with its customers, consumers, or
22 employees or from providing for a sliding scale of charges, unless the same is prohibited by the
23 terms of the franchise or permit under which such public utility is operated. No such agreement

1 or sliding scale shall be lawful unless and until the same shall be filed with and approved by the
2 commission.

3 **SECTION 2. REPEAL.** Sections 49-04-08, 49-04-09, and 49-04-10 of the North Dakota
4 Century Code are repealed.