278.130 Assessments against utilities -- Applications for adjustment.

(1) For the purpose of maintaining the commission, including the payment of salaries and all other expenses, and the cost of regulation of the utilities subject to its jurisdiction, the Department of Revenue shall each year assess the utilities in proportion to their earnings or receipts derived from intrastate business in Kentucky for the preceding calendar year as modified by KRS 278.150, and shall notify each utility on or before July 1 of the amount assessed against it. The total amount assessed shall be twenty-three hundredths of one percent (0.23%) of intrastate receipts as so modified, which shall be deposited into the State Treasury to the credit of the general fund. The sum by each utility shall not be less than fifty dollars ($50) in any one (1) year.

(2) The assessments provided for in this section shall be in lieu of all other fees or assessments levied by any city or other political subdivision for the control or regulation of utilities.

(3) The commission, upon application by a utility, shall authorize the utility to adjust its rates to recover, within not more than one (1) year, any change in the annual assessment and any costs imposed by commission order for the fees and expenses of consultants. The application, and any hearing or other proceedings thereon, shall be limited to the amount of such adjustment.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 161, sec. 104, effective July 15, 2026. -- Amended 2005 Ky. Acts ch. 85, sec. 671, effective June 20, 2005. -- Amended 1988 Ky. Acts ch. 229, sec. 1, effective July 15, 1988. -- Amended 1982 Ky. Acts ch. 82, sec. 17, effective July 15, 1982; and ch. 197, sec. 2, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 379, sec. 19, effective April 1, 1979. -- Amended 1976 Ky. Acts ch. 88, sec. 10, effective March 29, 1976. -- Amended 1972 Ky. Acts ch. 47, sec. 4. -- Amended 1964 Ky. Acts ch. 195, sec. 3. -- Amended 1960 Ky. Acts ch. 206, sec. 1. -- Amended 1952 Ky. Acts ch. 46, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 3952-53, 3952-54, 3952-55, 3952-60.