

at this point, I would just as soon not. But with that understanding, I will ask that this be dropped behind the Barrett amendment, if that is acceptable.

SPEAKER NICHOL: All right, we'll go on to Senator Barrett's motion then. (Barrett motion is printed on page 1975 of the Journal.)

SENATOR BARRETT: Thank you, Mr. President, colleagues. Thank you, Senator Hoagland. This is not, sincerely not an attempt to do any hassling at all. I have been following the debate. I have been following the amendments which have been offered and adopted. It occurs to me that the word "prospectively" appears perhaps incorrectly on page 9 of the E & R amendments. On page 9, line 21, I'm suggesting that the Legislature delete...strike the word "prospectively", and then on page 10, the following, page 10, in line 1, insert the following language, "In such order, the commission may order a refund of amounts collected in excess of the rates and charges as approved at the hearing which may be paid as a credit against billings for future services." What I am attempting to do here is to insert the same language that Senator Johnson, I believe it was, inserted during General File debate in which he suggested that the commission may order a refund of amounts collected in excess of the rates and charges as approved. I believe that without this deletion of the word "prospectively", where the commission on its own motion orders a refund, without the deletion we have an absolute and total windfall to the telephone companies. I'm trying to make the two processes synonymous. The bill, as Senator DeCamp has suggested earlier, does provide for this process during the petition process. However, where the commission, the Public Service Commission holds a hearing on its own motion, this is not provided for. And that is the only attempt on my part is to make the bill a bit better and make these two processes synonymous, the petition process and the Public Service process, where a hearing is held on its own motion. I would urge the body to adopt the amendment.

SPEAKER NICHOL: Senator Lamb, please. I don't see Senator Lamb. Senator DeCamp, please.

SENATOR DECAMP: Mr. President, I assume that Senator Barrett's amendment does exactly what he says, and that was our intent the other day. So he is merely reaffirming it, or as he says they didn't correct this particular portion of the bill. So I support the amendment I think.