

Then if what the PSC grants is in excess of...I mean if the rate increase is in excess to that provided by the PSC then the excess has to return to the subscriber. Did I answer your question?

SENATOR BEUTLER: I don't think so. I'm not sure why it is necessary to say that the commission shall not consider the rates or charges the company put into effect pending the final determination. It seems to be saying the commission shall not look at what the rates are that were put into effect, apparently the 75%, and I'm not sure why that has to be in there or what its intent is.

PRESIDENT: Any further discussion?

SENATOR KREMER: I think, Chris, they are admitting that they may want less than the 75%.

SENATOR BEUTLER: So in other words what is going to happen is that they are going to jack up the application so high that putting into effect 75% of the application is really going to be what they want in the end anyway and so the language is going to have no effect.

SENATOR KREMER: I think...I'm just trying to explain what the committee did. They did not allow them to collect the full request, only 75%, and if any excess gets collected... maybe Senator Clark, (interruption.)

PRESIDENT: Senator Clark...I think Senator Clark would like to answer that. Senator Clark, would you respond to...

SENATOR KREMER: ...would you expand further on my explanation?

SENATOR CLARK: Yes. Senator Beutler, as you recall the original bill, when they put in for an increase they put it in for 100% and they would put that 100% in on a refundable basis but the committee cut that down to where they could only...say 75% would go in on a refundable basis. Now after that goes in and the commission makes a determination, if it is a year, year and a half, it makes no difference what it is, that PSC rate increase would take effect. If it is less or more, then it is going to be refundable if the rate is less than what they put into effect, it is going to be refundable. Do you understand that? It will be refundable to the people.

SENATOR BEUTLER: Yes, I understand the procedure. I don't understand the necessity for the particular language that I quoted to Senator Kremer.