

**THE MISSISSIPPI PUBLIC UTILITIES STAFF
REQUEST FOR PROPOSALS**

**THE MISSISSIPPI PUBLIC UTILITIES STAFF
REQUIRES THE ASSISTANCE OF A PUBLIC ACCOUNTING FIRM
TO PERFORM AN AUDIT OF AFFECTED UTILITIES'
SYSTEM RESTORATION COSTS PURSUANT TO
S.B. 3229 (2026 REGULAR SESSION).**

Proposal Issue Date: April 28, 2026

Proposal Due Date: Friday, May 15, 2026, no later than 4:00 PM CDT

Contact: Emily W. Kruger
General Counsel
Mississippi Public Utilities Staff
501 N. West Street
Suite 901-C
Jackson, Mississippi 39201
Email: emily.kruger@mpus.ms.gov

SECTION 1 – SCOPE OF WORK

I. Introduction

During the 2026 Regular Session, the Mississippi Legislature passed S.B. 3229. On April 8, 2026, Governor Reeves signed into law the Mississippi 2026 Severe Winter Storm Electric Utility Customer Relief and Electric Utility System Restoration Act (“the Act”). Pursuant to the Act, any electric utility affected by the 2026 winter storm may petition the Mississippi Public Service Commission (“the Commission”) within 180 days of the Act’s effective date for a financing order. As of the effective date of passage of the Act, the only affected electric utility that qualifies under the Act is Entergy Mississippi, LLC (“EML”).

A. Petition to the Mississippi Public Service Commission

According to Section 4(1) of the Act, the utility’s petition for a financing order must include:

- A description of all system restoration activities undertaken or proposed, with supporting reasons
- Known prudently incurred restoration costs and estimates for incomplete work
- The storm damage reserve level the utility proposes to establish or replenish, and the methods and calculations used to determine amounts
- Whether the utility proposes to finance all or a portion of costs via system restoration bonds (if partial, the utility’s petition must identify the portion)
- Estimated financing and issuance costs
- A description and estimate of the proposed system restoration charge, including the recovery period
- A demonstration that securitization will result in lower overall costs or significantly mitigate rate impacts compared to traditional recovery methods and alternative financing
- Direct testimony supporting the application

The utility must also provide a copy of the petition to the State Bond Commission.

B. Independent Audit

Section 4(2) of the Act requires the Executive Director of the Mississippi Public Utilities Staff (“MPUS”) to engage an independent public accounting firm to audit the utility’s system restoration costs. The audit begins promptly after the Act’s effective date, prior to the utility’s petition filing. Audit expenses will be included in the bond financing amount.

In order to perform this audit, MPUS will enter into a professional services contract with the public accounting firm, which will assist MPUS in auditing the affected electric utility’s system restoration costs to determine whether such costs are properly identified and recorded pursuant to the Mississippi 2026 Severe Winter Storm Electric Utility Customer Relief and Electric Utility System Restoration Act. For ease of reference, a copy of S.B. 3229 (2026 Regular Session) is attached as Exhibit A to this RFP.

Following completion of the audit, the Commission must issue a financing order or reject the utility's petition within 60 days of filing.

C. Purpose of Audit

Ultimately, the contractor's audit must be sufficient to allow MPUS and the Commission to determine that the affected utility's system restoration costs incurred during the 2026 winter storm are properly identified and recorded. This determination will assist the Commission in its decision as to whether to issue a financing order.

The selected contractor must have the professional qualifications and experience necessary to accomplish this purpose. The contractor's duties will include, but not be limited to, the following:

- Gather and assess relevant information and data from the affected electric utility needed to perform an audit of the utility's system restoration costs incurred during the 2026 winter storm;
- Work collaboratively with MPUS to draft data requests and other discovery to the utility and perform audit tasks;
- Report findings to MPUS;
- Review, to the extent necessary, all relevant filings in the docket;
- Confer with MPUS staff and consultants, as necessary;
- Prepare a final audit report to MPUS that includes findings;
- Attend hearings, if requested by MPUS or the Commission.

D. Period of Performance

It is anticipated that the period of performance of the contract will begin immediately after contract execution on or about May 18, 2026, and will be completed by July 31, 2026. A final report with audit findings will be due to MPUS on July 31, 2026.

SECTION 2 – RFP AVAILABILITY

The Request for Proposals will be published on the Mississippi Public Service Commission's website at www.psc.ms.gov. A Request for Proposal also may be obtained by written request to:

Emily W. Kruger
General Counsel
Mississippi Public Utilities Staff
501 N. West Street
Suite 901-C
Jackson, Mississippi 39201
Email: emily.kruger@mpus.ms.gov

SECTION 3 – DEADLINE FOR SUBMISSION OF PROPOSALS

The times stated in this document refer to Central Time (CT). The closing date for proposals is Friday, May 15, 2026, at 4:00 PM (CDT). A proposal received after this deadline will not be considered. Proposals may be mailed, hand-delivered, or emailed to MPUS. For mailed or hand-delivered copies, please submit two (2) bound copies to:

Emily W. Kruger
General Counsel
Mississippi Public Utilities Staff
501 N. West Street
Suite 901-C
Jackson, Mississippi 39212
-or-
Post Office Box 1174
Jackson, Mississippi 39215-1174

For emailed proposals, please email to Emily.Kruger@mpus.ms.gov with a copy emailed to Rebecca.Engel@mpus.ms.gov.

SECTION 4 – ELIGIBLE OFFERORS

To be eligible, applicants must be neutral and impartial and without any conflict of interest related to Entergy Mississippi, LLC or S.B. 3229 (2026 Regular Session). Eligible applicants must demonstrate accounting and auditing capabilities, competence, relevant experience in utility auditing, and resources to perform the duties as delineated in Section 1 of this RFP.

SECTION 5 – PROPOSAL REQUIREMENTS

Proposals shall begin with a cover page that clearly states the name of the applicant and the name, address, telephone number, fax number, and email address of the applicant’s primary contact who may be contacted directly regarding the proposal. Pages of the proposal must be numbered.

A proposal submitted in response to this Request for Proposal must include, at a minimum, the following information:

1. The legal name of the public accounting firm and the location of the principal place of business.
2. Evidence of the firm’s experience and abilities in the specific area directly related to the proposed service including, but not limited to, a list and supporting documentation reflecting the specific expertise and experience of the proposed firm in performing work in the relevant area.

3. The qualifications and experience of all persons who would be assigned to provide the required services.
4. A detailed description of how the service will be provided to accomplish the Scope of Work outlined in Section 1 of this RFP, including, but not limited to, a description of major tasks and sub-tasks.
5. A Project Schedule and details of how each task identified will be best accomplished.
6. Thorough and detailed pricing information.
7. Any available references for contracts of similar size and scope. Please include the name of the organization; the length of the contract; a brief summary of the work; and the name and contact information of a responsible contact.
8. A statement verifying whether the prospective firm has retained any person or agency on a percentage, commission or other contingent arrangement to secure this contract.
9. Discuss any conflicts of interest that may arise, if your proposal is accepted.
10. Any additional information that will aid in evaluation of the response.

SECTION 6 – SOURCE SELECTION

MPUS’s selection will be based on evaluation criteria including but not limited to the factors listed under Evaluation of Proposals in Section 8.

SECTION 7 – ANTICIPATED SCHEDULE OF ACTIVITIES

Publish RFP on Commission website	April 28, 2026
Deadline for submission of proposals	May 15, 2026
Selection approved by MPUS	May 20, 2026
Contract award	May 20, 2026
Commencement of project activities	Immediately following contract execution
Audit findings and report due to MPUS	July 31, 2026

SECTION 8 – EVALUATION OF PROPOSALS

Factors to be considered in the evaluation of proposals include, but are not limited to, the following:

1. Responsiveness to all items set forth in this Request for Proposals.

2. Applicant's ability to provide the required audit services as reflected/evidenced by qualifications and experience.
3. Whether adequate personnel and other resources to perform the audit services are currently available or demonstrated to be made available at the time of contracting.
4. The overall detailed description of the proposed plan for performing the required services.
5. A record of past performance of similar work.

By: Senator(s) Harkins, Simmons (12th),
Simmons (13th)

To: Finance

SENATE BILL NO. 3229
(As Sent to Governor)

1 AN ACT TO ENACT THE MISSISSIPPI 2026 SEVERE WINTER STORM
2 ELECTRIC UTILITY CUSTOMER RELIEF AND ELECTRIC UTILITY SYSTEM
3 RESTORATION ACT; TO ESTABLISH A MECHANISM BY WHICH THE MISSISSIPPI
4 PUBLIC SERVICE COMMISSION MAY AUTHORIZE AND CERTIFY AN ELECTRIC
5 UTILITY FINANCING ORDER AND THE STATE MAY ISSUE BONDS TO PAY THE
6 COSTS OF REPAIRING DAMAGE TO THE SYSTEMS OF ELECTRIC UTILITIES
7 CAUSED BY THE 2026 WINTER STORM; TO AUTHORIZE ELECTRIC UTILITIES
8 TO PETITION THE PUBLIC SERVICE COMMISSION FOR THE ISSUANCE OF A
9 FINANCING ORDER WHICH, WHEN TRANSMITTED TO THE STATE BOND
10 COMMISSION BY AN ELECTRIC UTILITY, AUTHORIZES THE ISSUANCE OF
11 BONDS TO PAY THE COSTS ASSOCIATED WITH RESTORING THE SYSTEM OF THE
12 ELECTRIC UTILITY; TO PROVIDE THE CONTENTS OF SUCH A PETITION; TO
13 AUTHORIZE THE PUBLIC UTILITIES STAFF TO CONDUCT AN INDEPENDENT
14 INVESTIGATION OF THE PETITION; TO ESTABLISH THE DUTIES OF THE
15 PUBLIC SERVICE COMMISSION WITH REGARD TO SUCH PETITIONS; TO
16 PROVIDE FOR THE CONTENTS OF FINANCING ORDERS; TO PROVIDE THAT THE
17 FINANCING ORDER SHALL REQUIRE THE ELECTRIC UTILITY TO COLLECT A
18 SYSTEM RESTORATION CHARGE FROM ITS RETAIL CUSTOMERS SUFFICIENT TO
19 PAY THE DEBT SERVICE ON ANY BONDS ISSUED PURSUANT TO THE FINANCING
20 ORDER; TO PROVIDE FOR ANNUAL ADJUSTMENTS TO THE SYSTEM RESTORATION
21 CHARGES TO ENSURE THAT THE CHARGES ARE SUFFICIENT TO PAY THE DEBT
22 SERVICE ON ANY BONDS ISSUED PURSUANT TO THIS ACT; TO PROVIDE THE
23 METHOD FOR APPEALING DECISIONS OF THE PUBLIC SERVICE COMMISSION
24 WITH RESPECT TO A FINANCING ORDER; TO PROVIDE FOR THE DURATION OF
25 A FINANCING ORDER; TO AUTHORIZE THE ISSUANCE OF BONDS IN AN AMOUNT
26 NOT TO EXCEED THE AMOUNT SPECIFIED IN THE FINANCING ORDER TO BE
27 UTILIZED BY AN ELECTRIC UTILITY TO PAY THE COST OF REPAIRS
28 NECESSITATED BY THE 2026 WINTER STORM; TO AUTHORIZE THE CREATION
29 OF SINKING FUNDS INTO WHICH SYSTEM RESTORATION CHARGES COLLECTED
30 BY THE ELECTRIC UTILITY SHALL BE DEPOSITED AND TO PROVIDE THAT
31 MONEY IN THE SINKING FUNDS SHALL BE UTILIZED TO PAY THE DEBT
32 SERVICE ON BONDS ISSUED PURSUANT TO A FINANCING ORDER; AND FOR
33 RELATED PURPOSES.



34 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

35 **SECTION 1.** This act shall be known and may be cited as the
36 "Mississippi 2026 Severe Winter Storm Electric Utility Customer
37 Relief and Electric Utility System Restoration Act."

38 **SECTION 2.** It is hereby determined, for the benefit of
39 customers of the electric utilities within the State of
40 Mississippi, that the state establish a mechanism by which the
41 Mississippi Public Service Commission may authorize and certify an
42 electric utility financing order, under which the state may issue
43 system restoration bonds, the proceeds of which shall be used to
44 securitize the system restoration costs and storm damage reserve
45 levels of those electric utilities affected by the 2026 winter
46 storm, thereby providing electric utility customers relief from
47 traditional methods of recovering system restoration costs. The
48 exercise of powers conferred by this act is deemed to constitute
49 the performance of essential public purposes.

50 **SECTION 3.** As used in this act:

51 (a) "Commission" or "Public Service Commission" means
52 the Mississippi Public Service Commission.

53 (b) "Customer" or "electric utility customer" means a
54 retail customer of an electric utility.

55 (c) "Electric utility" or "utility" means any utility
56 as defined in Section 77-3-3(d) (i), but not including electric
57 power associations.

58 (d) "Financing costs" means:



59 (i) Interest and acquisition, defeasance or
60 redemption premiums that are payable on system restoration bonds
61 issued pursuant to this act;

62 (ii) Any amount required to fund or replenish any
63 system restoration sinking fund or other reserve, fund or account
64 established pursuant to the authority conferred under this act and
65 the terms of any financing order or other financing documents
66 pertaining to system restoration bonds; and

67 (iii) Any other cost related to supporting,
68 repaying, servicing and refunding system restoration bonds,
69 including, but not limited to, servicing fees, accounting and
70 auditing fees, trustee fees, legal fees, consulting fees,
71 administrative fees, placement and underwriting fees, rating
72 agency fees, SEC registration fees, stock exchange listing and
73 compliance fees, and credit enhancement fees.

74 (e) "Financing order" means an irrevocable final order
75 issued by the Public Service Commission to an electric utility
76 pursuant to Section 4 of this act which provides, inter alia, a
77 mechanism for an electric utility to request the State Bond
78 Commission to authorize the issuance of system restoration bonds
79 and the creation of system restoration property.

80 (f) "Financing party" means any holder of system
81 restoration bonds, and any trustee, collateral agent, or other
82 person acting for the benefit of any of the foregoing.

83 (g) "Issuance costs" means:



84 (i) Any initial payment made on or before issuance
85 and any amount required to fund any system restoration sinking
86 fund or other account established pursuant to the authority
87 conferred under this act and the terms of any financing order; and

88 (ii) Any other cost related to issuance of system
89 restoration bonds, including, but not limited to, trustee fees,
90 legal fees, consulting fees, administrative fees, credit
91 enhancement fees, placement and underwriting fees, capitalized
92 interest, rating agency fees, SEC registration fees, stock
93 exchange listing and compliance fees, and filing fees, including
94 costs related to obtaining the financing order.

95 (h) "State" means the State of Mississippi.

96 (i) "Storm" means the winter storm, which began on
97 January 23, 2026, and caused catastrophic damages to the people
98 and property of and within the State of Mississippi, including
99 electric utilities and their facilities throughout the state, and
100 which has been declared a major disaster by the Federal Emergency
101 Management Agency (FEMA), dated February 6, 2026.

102 (j) "System restoration activity" means any activity by
103 or on behalf of an electric utility in connection with the
104 preparation for, the provision of and the restoration of service
105 associated with electric power outages affecting customers of an
106 electric utility as the result of the storm, including, but not
107 limited to, mobilization, logistical support staging, housing,
108 fueling, contracting and construction, removal, reconstruction,



109 replacement or repair of electric generation, transmission or
110 distribution facilities, the recovery of fuel costs related to the
111 operation of electric generation facilities in advance of and
112 through the duration of the storm, and related activities approved
113 by the commission.

114 (k) "System restoration bonds" or "bonds" means those
115 bonds, including refunding bonds, that are issued by the State
116 Bond Commission pursuant to this act.

117 (l) "System restoration charge" means the nonbypassable
118 charges authorized by the Public Service Commission in a financing
119 order to recover, finance or refinance the system restoration
120 costs, including, without limitation, amounts necessary to ensure
121 payment of the system restoration bonds and all related financing
122 costs on a timely basis. System restoration charges shall be
123 imposed on all customer bills and collected by an electric utility
124 or its successors or assignees, or a collection agent, through a
125 charge that is separate and apart from the base rates of the
126 electric utility, which charge shall be paid by all existing and
127 future customers, including special contract customers, for and
128 with regard to all electric load directly or indirectly connected
129 to electric facilities of the electric utility or its successors
130 or assignees under the commission-approved rate schedules, even if
131 the customer elects to purchase electricity from an alternative
132 electricity supplier following a fundamental change in regulation
133 of public utilities in this state.



134 (m) "System restoration costs" means, at the option and
135 request of the electric utility, and as approved by the commission
136 pursuant to Section 4 of this act, those prudent incremental costs
137 incurred or to be incurred, as determined by the commission, by an
138 electric utility in undertaking a system restoration activity.
139 Such costs shall be net of applicable insurance proceeds and,
140 where determined appropriate by the commission, taking into
141 account the interests of the electric utility's customers, the
142 need for financial stability in the provision of electric utility
143 service, and the public interest, shall include adjustments for
144 normal capital replacement and operating costs and other potential
145 offsets and adjustments; however, such costs shall not include
146 system-outage-related lost profits. System restoration costs may,
147 in the commission's discretion, include the costs to finance any
148 deficiency in storm damage reserves incurred before the system
149 restoration bonds are issued and any costs of retiring any other
150 existing indebtedness relating to system restoration activities.
151 System restoration costs may also include issuance costs
152 authorized to be paid in a financing order, as well as the cost of
153 retiring or refinancing debt or equity of the electric utility,
154 and associated federal and state tax liabilities. Notwithstanding
155 any other provision of this act, and exclusive of issuance costs
156 authorized to be paid in a financing order, the costs of retiring
157 or refinancing debt or equity of the electric utility, and
158 associated federal and state tax liabilities, the aggregate amount



159 of system restoration costs approved by the commission under
160 Section 4 of this act shall not exceed Two Hundred Seventy-five
161 Million Dollars (\$275,000,000.00).

162 (n) "System restoration property" means:

163 (i) All rights and interests of the state, as the
164 assignee of an electric utility under a financing order, arising
165 out of or in connection with the issuance of system restoration
166 bonds under this act, including the right to receive the system
167 restoration charges, as periodically adjusted, imposed, billed,
168 and collected by the electric utility, as servicer or collection
169 agent on behalf of the state pursuant to a financing order, and
170 the right to obtain periodic adjustments to such charges as
171 provided in the financing order and this act. After the sale of
172 the system restoration property, system restoration property shall
173 not be an asset of the electric utility, but the electric utility
174 shall have only a duty to carry out its obligations and
175 responsibilities under this act and the State Bond Commission
176 action taken under this act with respect to system restoration
177 property; and

178 (ii) All collections, claims, rights to payments,
179 payments, money or proceeds arising from the rights and interests
180 specified in subparagraph (i) of this paragraph (n), regardless of
181 whether such collections, claims, rights to payment, payments,
182 money or proceeds are imposed, billed, received, collected or



183 maintained together with or commingled with other collections,
184 claims, rights to payment, payments, money or proceeds.

185 (o) "Storm damage reserve" means an electric utility
186 storm reserve or such other similar reserve established by law or
187 rule, or pursuant to any order of the commission.

188 (p) "Public Utilities Staff" or "staff" means those
189 persons employed by the public utilities staff established in
190 Section 77-2-1, Mississippi Code of 1972.

191 **SECTION 4.** (1) Not more than one hundred eighty (180) days
192 after the effective date of this act, an electric utility affected
193 by the storm may petition the Public Service Commission for a
194 financing order to make such determinations as are provided for in
195 this section which, when transmitted by an electric utility to the
196 State Bond Commission as provided in this act, authorizes the
197 State Bond Commission to issue system restoration bonds pursuant
198 to the financing order. In addition to any other information
199 required by the Public Service Commission, the applying electric
200 utility shall:

201 (a) Describe the system restoration activities that the
202 electric utility has undertaken or proposes to undertake, and
203 describe the reasons for undertaking the activities;

204 (b) Set forth the known prudently incurred system
205 restoration costs and an estimate of the costs of any system
206 restoration activities that are not completed, or for which the



207 costs are not yet known, as identified and requested by the
208 electric utility;

209 (c) Set forth the storm damage reserve that the
210 electric utility proposes to establish or replenish and that such
211 electric utility has determined would be appropriate to recover
212 through system restoration bonds. The electric utility shall also
213 identify the level that the electric utility is funding or will
214 seek to fund through other means, together with a description of
215 the factors and calculations used in determining the amounts and
216 methods of recovery;

217 (d) Indicate whether the electric utility proposes to
218 finance all or a portion of the system restoration costs and storm
219 damage reserve using system restoration bonds. If the electric
220 utility proposes to finance a portion of such costs, the electric
221 utility shall identify that portion in its application;

222 (e) Estimate the financing costs and issuance costs
223 related to the system restoration bonds;

224 (f) Describe and estimate the system restoration charge
225 necessary to recover the system restoration costs and fund or
226 replenish the storm damage reserve, including any financing costs
227 and issuance costs and the period for recovery of such costs;

228 (g) Estimate any cost savings and demonstrate how it
229 would avoid or significantly mitigate rate impacts to customers
230 resulting from financing system restoration costs with system
231 restoration bonds as opposed to the traditional method of



232 recovering such costs from customers and through alternative
233 financing methods available to the electric utility;

234 (h) File with the Public Service Commission direct
235 testimony supporting the application;

236 (i) Timely provide the Public Service Commission or the
237 Public Utilities Staff such additional information and
238 documentation as they may reasonably request; and

239 (j) Provide a copy of the petition to the State Bond
240 Commission.

241 (2) The Executive Director of the Public Utilities Staff
242 shall enter into a professional services contract with a public
243 accounting firm to assist the staff in auditing the electric
244 utility's system restoration costs to determine that such costs
245 are properly identified and recorded. Such audit shall begin
246 prior to the electric utility's petition as described in
247 subsection (1) of this section, and promptly after the effective
248 date of this act. Any expenses associated with such services
249 shall be included as part of financing costs and included in the
250 total amount of system restoration bonds issued pursuant to this
251 act.

252 (3) (a) Proceedings on an application submitted pursuant to
253 subsection (1) of this section shall begin with a petition by an
254 electric utility and shall be disposed of in accordance with
255 applicable Public Service Commission procedural rules related to
256 miscellaneous application proceedings, except that the provisions



257 of this section, to the extent applicable, shall control. The
258 issuance of a financing order, the system restoration bonds and
259 the implementation or adjustment of a system restoration charge
260 under this act shall not constitute a change in rates pursuant to
261 Section 77-3-37 or 77-3-39, Mississippi Code of 1972.

262 (i) Not more than sixty (60) days after the date
263 the petition is filed, the commission shall issue a financing
264 order or an order rejecting the petition. A party to the Public
265 Service Commission proceeding may petition the commission for
266 reconsideration of the financing order not more than seven (7)
267 days after the date the financing order is issued. The commission
268 shall rule on the petition for reconsideration, by and through the
269 issuance of a final financing order upon reconsideration, not more
270 than fourteen (14) days after the filing of the petition. A
271 failure by the commission to act upon such petition for
272 reconsideration within the specified time period shall be deemed a
273 refusal of the petition, and the financing order shall remain in
274 effect. Any judicial review shall be as provided in Section 5 of
275 this act.

276 (ii) Upon issuance of a final financing order to
277 an electric utility, the electric utility shall have sixty (60)
278 days from the issuance of the financing order to request the State
279 Bond Commission to issue system restoration bonds, and the State
280 Bond Commission may authorize and issue the system restoration
281 bonds as soon as commercially practicable.



282 (b) In a financing order issued on behalf of an
283 electric utility, the Public Service Commission shall:

284 (i) Specify the amount of prudently incurred
285 system restoration costs and the level of storm damage reserves,
286 taking into consideration, to the extent the commission deems
287 appropriate, any other methods used to recover these costs;

288 (ii) With advice from, and in consultation with,
289 the State Bond Commission and any outside consultant or counsel,
290 provide a description and estimate of the amount of financing
291 costs which may be recovered through system restoration charges,
292 and the minimum and maximum period over which such costs may be
293 recovered;

294 (iii) Determine that the financing method proposed
295 pursuant to this act is reasonably expected to result in lower
296 overall costs or would avoid or significantly mitigate rate
297 impacts to customers, as compared with alternative methods of
298 financing or traditional methods of recovering system restoration
299 costs;

300 (iv) Provide that, for the period specified
301 pursuant to subparagraph (ii) of this paragraph (b), the
302 imposition and collection of the system restoration charge
303 authorized in the financing order shall be paid by all existing
304 and future customers, including special contract customers, for
305 and with regard to all electric load directly or indirectly
306 connected to electric facilities of the electric utility or its



307 successors or assignees under the commission-approved rate
308 schedules, even if the customer elects to purchase electricity
309 from an alternative electricity supplier following a fundamental
310 change in regulation of public utilities in this state;

311 (v) Set forth the level of the storm damage
312 reserves and any limitations on how the reserve may be held,
313 accessed or used;

314 (vi) With advice from, and in consultation with,
315 the State Bond Commission and any outside consultant or counsel,
316 establish and authorize an irrevocable mechanism for making
317 expeditious periodic adjustments in the system restoration charge
318 that customers are required to pay under the financing order, and
319 for making any adjustments that are necessary to correct for any
320 overcollection or undercollection of the system restoration charge
321 or to otherwise ensure the timely payment of system restoration
322 bonds, financing costs and any other required amounts and charges
323 payable in connection with the system restoration bonds. The
324 irrevocable mechanism shall include procedures for the state to
325 timely provide any information to the electric utility to allow
326 the utility to make such adjustments;

327 (vii) Specify the system restoration property to
328 be created in favor of the petitioning electric utility, and
329 require such electric utility to transfer and assign such system
330 restoration property to the state upon the issuance of system
331 restoration bonds to secure prompt payment of the system



332 restoration bonds and any associated financing costs and any other
333 required amounts and charges payable in connection therewith as
334 they shall come due. Such transfer of the system restoration
335 property by an electric utility shall be an absolute transfer of
336 such electric utility's right, title and interest in the system
337 restoration property;

338 (viii) With advice from, and in consultation with,
339 the State Bond Commission and any outside consultant or counsel,
340 specify, to the extent possible, the terms and conditions of the
341 system restoration bonds, including, but not limited to, repayment
342 schedules, maximum interest rates, issuance costs, financing costs
343 and any other required amounts and charges payable as they shall
344 come due;

345 (ix) Provide that the financing costs associated
346 with the system restoration bonds, through the system restoration
347 charge, are to be allocated to the customer rate classes in the
348 same manner that each such class is allocated its portion of the
349 electric utility's annual base rate revenues using the criteria
350 set out in Section 77-3-33, Mississippi Code of 1972, and the
351 commission's rules, and allocated proportionately to
352 special-contract customers that take transmission-level service;
353 and

354 (x) Provide that, upon the issuance of system
355 restoration bonds, the electric utility shall institute the
356 resulting initial system restoration charge in accordance with the



357 financing order, and such initial system restoration charge shall
358 be effective upon the issuance of such system restoration bonds
359 without further action of the Public Service Commission.

360 (c) In performing any of its responsibilities under
361 this subsection (3), the commission may engage outside consultants
362 or counsel, including, but not limited to, the State Bond
363 Commission. Any expenses associated with such services shall be
364 included as part of financing costs and included in the total
365 amount of system restoration bonds issued pursuant to this act.

366 (d) If the Public Service Commission issues a financing
367 order and the system restoration charge is authorized to be
368 collected, the electric utility shall file with the commission, at
369 least once annually, or more frequently as provided in the
370 financing order, a petition or a letter requesting the commission,
371 if necessary, to adjust the system restoration charge established
372 in the financing order to ensure timely payment of the system
373 restoration bonds as described in paragraph (b)(vi) of this
374 subsection (3). Within thirty (30) days after receiving an
375 electric utility's petition or letter pursuant to this paragraph,
376 the commission shall review the petition or letter and approve the
377 adjustment to the system restoration charge or correct the
378 adjustment, but solely for any mathematical error, and revise the
379 adjustment, and so notify the electric utility. The commission's
380 review of such petition or letter shall be limited to the



381 mathematical accuracy of the electric utility's calculation of the
382 system restoration charge.

383 (e) Upon the commission's review and approval or
384 correction of a system restoration charge and timely notification
385 to the electric utility, the electric utility shall promptly
386 adjust the system restoration charge to become effective the next
387 practicable billing cycle as specified in the commission's
388 notification of such revision.

389 (f) Subsequent to the issuance of system restoration
390 bonds authorized by a financing order, the financing order shall
391 be irrevocable except as provided in this act. Except as provided
392 in this act, the Public Service Commission may not amend, modify
393 or terminate the financing order by any subsequent action or
394 reduce, impair, postpone, terminate or otherwise adjust the system
395 restoration charge approved in the financing order. After the
396 issuance of a financing order, the electric utility retains sole
397 discretion to request that the system restoration bonds be issued.

398 (g) At the request of an electric utility, the Public
399 Service Commission may commence a proceeding and issue a
400 subsequent financing order that authorizes the retirement or
401 refunding of system restoration bonds issued pursuant to the
402 original financing order, if the commission finds that the
403 subsequent financing order satisfies all of the criteria specified
404 in this subsection (3). Effective on retirement of the system
405 restoration bonds and the issuance of new system restoration



406 bonds, the commission shall adjust the related system restoration
407 charge accordingly.

408 (h) An electric utility shall have sixty (60) days from
409 the issuance of a final and nonappealable financing order to
410 request the State Bond Commission to authorize the purchase of the
411 system restoration property and the issuance of system restoration
412 bonds. Upon such request, the State Bond Commission may authorize
413 such actions and issue the system restoration bonds as soon as
414 practicable. If no such request is made by the electric utility
415 within sixty (60) days from the issuance of the final financing
416 order by the Public Service Commission, the financing order shall
417 stand repealed.

418 **SECTION 5.** A party to a proceeding on a petition for a
419 financing order may appeal the financing order, after
420 reconsideration as provided for in this act, by direct appeal to
421 the Mississippi Supreme Court. An appeal must be filed within
422 seven (7) days after the petition for reconsideration has been
423 refused or deemed refused, or within seven (7) days after the
424 issuance of the final financing order upon reconsideration. Every
425 appeal shall briefly state the nature of the proceedings before
426 the Public Service Commission, and shall specify the final
427 financing order, upon reconsideration, complained of. Upon the
428 filing of an appeal, the Clerk of the Mississippi Supreme Court
429 shall serve notice of the appeal upon the Public Service
430 Commission, and the commission shall, within twenty-one (21) days



431 after the service of the notice, certify to the court the record
432 in the case, which shall include a transcript of all testimony,
433 together with all exhibits or copies of the exhibits, all
434 pleadings, orders, findings and opinions entered in the case. The
435 parties and the commission may stipulate that a specified portion
436 of the record shall be certified to the court as the record on
437 appeal. Every appeal of commission financing orders shall take
438 precedence over other cases as a matter affecting the public
439 interest, and the court shall docket and dispose of the appeal at
440 the earliest time compatible with the ends of justice. The court
441 may hear and dispose of the appeal in termtime or vacation, and
442 the court may sustain or dismiss the appeal, or modify or vacate
443 the order complained of in whole or in part, as the case may be.
444 In case the order is wholly or partly vacated, the court may also,
445 in its discretion, remand the matter to the commission for such
446 further proceedings not inconsistent with the order of the court
447 as, in the opinion of the court, justice may require. The final
448 financing order upon reconsideration shall not be vacated or set
449 aside either in whole or in part, except for errors of law, unless
450 the court finds that the order of the commission is not supported
451 by substantial evidence, is contrary to the manifest weight of the
452 evidence, is in excess of the statutory authority or jurisdiction
453 of the commission, or violates constitutional rights. If the
454 Mississippi Supreme Court remands the matter to the Public Service
455 Commission for further proceedings, the commission shall enter a



456 final financing order upon remand not more than thirty (30) days
457 from the time of receipt of the mandate of the court.

458 **SECTION 6.** Except as provided in this act, a financing order
459 shall:

460 (a) Remain in effect until the system restoration bonds
461 issued pursuant to the order have been paid in full and the
462 commission-approved financing costs of the system restoration
463 bonds have been recovered in full; and

464 (b) Remain in effect and unabated notwithstanding the
465 bankruptcy, sale, transfer, reorganization, merger or dissolution
466 of the electric utility or its successors or assignees.

467 **SECTION 7.** (1) System restoration bonds issued pursuant to
468 a financing order shall not be the debt of the electric utility
469 and shall be nonrecourse to the credit or assets of the electric
470 utility, other than the system restoration property as specified
471 in the financing order. System restoration charges paid under any
472 financing order shall not be considered the revenue of the
473 electric utility for any purpose, other than for federal tax
474 purposes, including any evaluation of the electric utility made
475 pursuant to a formula-type rate of return rate plan established in
476 Section 77-3-2, Mississippi Code of 1972.

477 (2) System restoration bonds shall not be used to finance
478 any project, addition, plant, facility, extension, capital
479 improvement, equipment, fuel charge or any other expenditure,
480 unless the electric utility has filed a petition under this act to



481 finance such expenditure using system restoration bonds. No
482 action taken by an electric utility pursuant to a financing order
483 issued under this act shall be deemed to be unjust or
484 unreasonable. Further, any expenditure inconsistent with this
485 section shall not affect the validity of, or security for, any
486 system restoration bonds.

487 **SECTION 8.** (1) The transfer of the system restoration
488 property by the electric utility to the state that is stated to be
489 a true sale or absolute transfer as authorized in a financing
490 order shall be treated as an absolute transfer of all of the
491 electric utility's interest in the system restoration property
492 that is specified in a financing order, and not as a pledge or
493 other financing of the system restoration property.

494 (2) A valid and enforceable lien and security interest in
495 system restoration property may be created by a financing order
496 and the execution and delivery of a security agreement with the
497 state in connection with the issuance of system restoration bonds.

498 (a) The lien and security interest shall attach
499 automatically from the time the value is received by the state for
500 the bonds and transferred to the electric utility in exchange for
501 the system restoration property and shall be a continuously
502 perfected lien and security interest in the system restoration
503 property, and all proceeds from the property shall have priority
504 in the order of filing and take precedence over any subsequent
505 judicial or other lien creditor.



506 (b) Transfer of an interest in securitization property
507 to the state, as assignee, shall be perfected against all third
508 parties, including subsequent judicial or other lien creditors,
509 when the financing order becomes effective, transfer documents
510 have been delivered to the state, as assignee, and, if required by
511 a financing order, a notice of that transfer has been filed with
512 the Mississippi Secretary of State.

513 (c) The priority of a lien and security interest
514 perfected under this section is not impaired by any later
515 modification of the financing order or by the commingling of funds
516 with other revenues paid by customers to the electric utility, or
517 by electric utilities to the state, as assignee, or otherwise
518 paid. If system restoration property has been transferred to an
519 assignee, any revenues related to that property shall be held in
520 trust for the assignee.

521 (d) The procedure set forth herein shall provide the
522 full and complete authority for the perfection of a lien and
523 security interest in the system restoration property.

524 (3) The rights and interests of an electric utility under a
525 financing order, including the right to impose, collect, receive,
526 and enforce the payment of system restoration charges authorized
527 in the financing order, shall be only contract rights and choses
528 in action until the property is first transferred to the state in
529 connection with the issuance of system restoration bonds, at which
530 time the property becomes system restoration property. Upon the



531 issuance of system restoration bonds pursuant to a financing
532 order, the system restoration property created under such
533 financing order shall constitute an existing, intangible, present
534 property right or interest of the state, as assignee, in the
535 property, notwithstanding that the imposition and collection of a
536 system restoration charge depends on the electric utility to which
537 the financing order is issued performing its servicing functions
538 relating to the collection of the system restoration charge and on
539 future provision of electric service. System restoration property
540 shall exist whether or not the revenues or proceeds arising from
541 the property have been billed, have accrued, or have been
542 collected, and notwithstanding the fact that the value or amount
543 of the property is dependent on the future provision of service to
544 customers by the electric utility or its successors or assignees.
545 The financing order may provide that the creation of the electric
546 utility's system restoration property is conditioned upon, and
547 shall be simultaneous with, the sale, assignment, or other
548 transfer of the system restoration property to the state, as
549 assignee, and the creation of the security interest in the system
550 restoration property to secure storm recovery bonds.

551 (4) System restoration property specified in a financing
552 order shall continue to exist until the system restoration bonds
553 issued pursuant to the financing order are paid in full and all
554 financing costs and other costs of the bonds have been recovered
555 in full.



556 (5) All system restoration property specified in a financing
557 order shall be pledged by the state to secure system restoration
558 bonds issued pursuant to the financing order.

559 (6) Upon transfer of the system restoration property by the
560 electric utility to the state, the electric utility shall have no
561 right to, nor any interest in, the system restoration property,
562 other than the obligation to collect the system restoration
563 charges and transfer those charges to the state as directed in any
564 financing order and any resolution of the State Bond Commission or
565 related financing document.

566 (7) Upon transfer of the system restoration property by the
567 electric utility to the state, the interest of the state in the
568 system restoration property specified in a financing order issued
569 to an electric utility, and in the revenue and collections arising
570 from that system restoration property, is not subject to setoff,
571 counterclaim, surcharge or defense by the electric utility or any
572 other person, or in connection with the reorganization, bankruptcy
573 or other insolvency of the electric utility or any other entity.

574 (8) Any successor to an electric utility, whether pursuant
575 to any reorganization, bankruptcy or other insolvency proceeding,
576 or whether pursuant to any merger or acquisition, sale or other
577 business combination, or transfer by operation of law, or as a
578 result of electric utility restructuring or otherwise, shall
579 perform and satisfy all obligations of, and have the same rights
580 under a financing order as, the electric utility under the



581 financing order in the same manner and to the same extent as the
582 electric utility, including collecting and paying to the person
583 entitled to receive the revenues, collections, payments or
584 proceeds of the system restoration property.

585 (9) If a default or termination occurs under the bonds,
586 holders of the bonds or their representatives may foreclose on or
587 otherwise enforce their lien and security interest in any system
588 restoration property, and the Public Service Commission may
589 require any revenues received from the system restoration property
590 created by a financing order be paid to a new owner of the system
591 restoration property.

592 **SECTION 9.** The proceeds of system restoration bonds
593 authorized by a financing order, net of issuance costs incurred by
594 the state, shall be used by the state solely to purchase the
595 system restoration property created under the terms of such
596 financing order.

597 **SECTION 10.** (1) For the purpose of providing for the
598 payment of the principal of and interest upon bonds issued under
599 this act and any related debt service costs, the State Treasurer
600 shall establish in the State Treasury, or with a trustee appointed
601 by the State Treasurer, a system restoration bond sinking fund for
602 each electric utility for which bonds are issued under this act
603 pursuant to a financing order. Each sinking fund shall consist of
604 the system restoration property required to be deposited into the
605 fund by an electric utility pursuant to this act and such other



606 funds or reserves as may be authorized in a financing order.
607 Unexpended amounts remaining in a sinking fund at the end of a
608 fiscal year shall not lapse into the State General Fund, and any
609 interest earned or investment earnings on amounts in a sinking
610 fund shall be deposited into the sinking fund.

611 (2) All system restoration property received by an electric
612 utility shall be deposited in the sinking fund of the electric
613 utility not less than monthly upon receipt by the electric
614 utility, as provided in the financing order. The State Treasurer
615 shall mandate the manner in which such deposit shall be made,
616 consistent with the terms of the financing order.

617 (3) The money in each bond sinking fund established for an
618 electric utility pursuant to this act shall be used to pay, along
619 with all financing costs, the principal and interest on system
620 restoration bonds issued under a financing order issued to the
621 electric utility when due, in accordance with the resolution or
622 other instrument under which the system restoration bonds are
623 issued.

624 (4) When the State Bond Commission determines a system
625 restoration sinking fund or funds to be sufficient to retire the
626 outstanding bonds in accordance with their terms, it shall certify
627 this to the commission in writing. The State Bond Commission
628 shall retire the bonds not more than sixty (60) days after such
629 certification. Any unexpended amounts remaining in the sinking



630 fund following the retirement of the bonds shall be applied as
631 directed by the commission in the financing order.

632 (5) Upon the retirement of the bonds, the electric utility
633 shall immediately petition the Public Service Commission for a
634 determination to cease collection of system restoration charges
635 from electric utility customers.

636 **SECTION 11.** (1) An electric utility desiring the issuance
637 of system restoration bonds pursuant to a financing order shall
638 deliver a timely request to the State Bond Commission. Upon
639 receipt of such request, the State Bond Commission, in its
640 discretion, may act as the issuing agent, prescribe the form of
641 the bonds, advertise for and accept bids, issue and sell the bonds
642 so authorized to be sold, and do any and all other things
643 necessary and advisable in connection with the issuance and sale
644 of such bonds. With advice and consultation from the commission
645 and the related electric utility, the State Bond Commission may
646 determine the amount of bonds to be issued; however, the amount of
647 bonds issued shall not exceed the amount authorized in the
648 financing order.

649 (2) Prior to the issuance of system restoration bonds under
650 this act, the State Bond Commission may request that the State
651 Treasurer establish or cause to be established the necessary
652 system restoration bond sinking funds as provided in Section 10 of
653 this act.



654 **SECTION 12.** The principal of and interest on the bonds
655 authorized under this act shall be payable in the manner provided
656 in this section and consistent with the terms of the related
657 financing order. Such bonds shall bear such date or dates, be in
658 such denomination or denominations, bear interest at such rate or
659 rates (not to exceed the limits set forth in Section 75-17-101,
660 Mississippi Code of 1972), be payable at such place or places
661 within or outside of the state, mature absolutely at such time or
662 times not more than twenty-five (25) years from the date of issue,
663 be redeemable or scheduled for payment before maturity at such
664 time or times and upon such terms, with or without premium, bear
665 such registration privileges, and be substantially in such form,
666 all as shall be determined by resolution of the State Bond
667 Commission.

668 **SECTION 13.** The bonds authorized by this act may be signed
669 by the Chairman of the State Bond Commission, or by either his
670 facsimile signature or electronic signature, and the official seal
671 of the State Bond Commission may be affixed thereto, attested by
672 the Secretary of the State Bond Commission. The interest coupons,
673 if any, to be attached to such bonds may be executed by the
674 facsimile signatures or electronic signatures of such officers.
675 Whenever any such bonds shall have been signed by the officials
676 designated to sign the bonds who were in office at the time of
677 such signing, but who may have ceased to be such officers before
678 the sale and delivery of such bonds, or who may not have been in



679 office on the date such bonds may bear, the signatures of such
680 officers upon such bonds and coupons shall nevertheless be valid
681 and sufficient for all purposes and have the same effect as if the
682 persons so officially signing such bonds had remained in office
683 until their delivery to the purchaser, or had been in office on
684 the date such bonds may bear. However, notwithstanding anything
685 herein to the contrary, such bonds may be issued as provided in
686 the Registered Bond Act of the State of Mississippi.

687 **SECTION 14.** All bonds and interest coupons issued under this
688 act have all the qualities and incidents of negotiable instruments
689 under the Uniform Commercial Code, and in exercising the powers
690 granted by this act, the State Bond Commission shall not be
691 required to and need not comply with the Uniform Commercial Code.

692 **SECTION 15.** (1) The State Bond Commission may act as the
693 issuing agent for the bonds authorized under this act, prescribe
694 the form of the bonds, advertise for and accept bids or negotiate
695 the sale of the bonds, issue and sell the bonds so authorized to
696 be sold, pay all fees and costs incurred in such issuance and
697 sale, and do any and all other things necessary and advisable in
698 connection with the issuance and sale of such bonds. The State
699 Bond Commission is authorized and empowered to pay the costs that
700 are incident to the sale, issuance and delivery of the bonds
701 authorized under this act from the proceeds derived from the sale
702 of such bonds. The State Bond Commission may sell such bonds on
703 sealed bids at public sale or may negotiate the sale of the bonds



704 for such price as it may determine to be for the best interest of
705 the state.

706 (2) If such bonds are sold by sealed bids at public sale,
707 notice of the sale of any such bonds shall be published at least
708 one time, not less than ten (10) days before the date of sale, and
709 shall be so published in one or more newspapers published or
710 having a general circulation in the City of Jackson, Mississippi,
711 selected by the State Bond Commission.

712 (3) The State Bond Commission, when issuing any bonds under
713 this act, may provide that bonds, at the option of the state, may
714 be called in for payment and redemption at the call price named
715 therein and accrued interest on such date or dates named therein.

716 **SECTION 16.** The system restoration bonds issued under this
717 act may be issued as special revenue bonds of the State of
718 Mississippi secured by a pledge of the related system restoration
719 property, and payable solely from the appropriate sinking fund
720 created in Section 10 of this act. The bonds shall never
721 constitute an indebtedness of the State of Mississippi within the
722 meaning of any state constitutional provision or statutory
723 limitation and shall never constitute or give rise to a pecuniary
724 liability of the state, or a charge against its general credit or
725 taxing powers, and such fact shall be plainly stated on the face
726 of each such bond. Such revenue bonds shall not be considered
727 when computing any limitation of indebtedness of the state.



728 All bonds issued under this act, and all interest coupons
729 applicable thereto, shall be construed to be negotiable
730 instruments, despite the fact that they are payable solely from a
731 specified source.

732 **SECTION 17.** The bonds authorized under this act may be
733 issued without any other proceedings or the happening of any other
734 conditions or things other than those proceedings, conditions and
735 things which are specified or required by this act. Any
736 resolution providing for the issuance of bonds under this act
737 shall become effective immediately upon its adoption by the State
738 Bond Commission, and any such resolution may be adopted at any
739 regular or special meeting of the State Bond Commission by a
740 majority of its members.

741 **SECTION 18.** The bonds authorized under this act may be
742 validated in the Chancery Court of the First Judicial District of
743 Hinds County, Mississippi, in the manner and with the force and
744 effect provided by Chapter 13, Title 31, Mississippi Code of 1972,
745 for the validation of county, municipal, school district and other
746 bonds. The notice to taxpayers required by such statutes shall be
747 published in a newspaper published or having a general circulation
748 in the City of Jackson, Mississippi.

749 **SECTION 19.** Any holder of bonds issued under the provisions
750 of this act or of any of the interest coupons pertaining thereto
751 may, either at law or in equity, by suit, action, mandamus or
752 other proceeding, protect and enforce any and all rights granted



753 under this act, or under such resolution, and may enforce and
754 compel performance of all duties required by this act to be
755 performed, in order to provide for the payment of bonds and
756 interest thereon.

757 **SECTION 20.** All bonds issued under this act shall be legal
758 investments for trustees and other fiduciaries, and for savings
759 banks, trust companies and insurance companies organized under the
760 laws of the State of Mississippi, and such bonds shall be legal
761 securities which may be deposited with and shall be received by
762 all public officers and bodies of this state and all
763 municipalities and political subdivisions for the purpose of
764 securing the deposit of public funds.

765 **SECTION 21.** Upon an application by an electric utility to
766 the commission pursuant to Section 4 of this act and the issuance
767 of a financing order by the commission, the State Bond Commission
768 may, upon the request of the electric utility, issue refunding
769 bonds for the purpose of paying any system restoration bonds at or
770 prior to their maturity or upon acceleration or redemption.
771 Refunding bonds may be issued at such time prior to the maturity
772 or redemption of the refunded bonds as the commission and the
773 State Bond Commission may determine. The refunding bonds shall be
774 issued pursuant to the Mississippi Bond Refinancing Act, Section
775 31-27-1 et seq., Mississippi Code of 1972, or the General
776 Refunding Law of 1934, Section 31-15-1 et seq., Mississippi Code
777 of 1972.



778 **SECTION 22.** Bonds issued under this act and income therefrom
779 shall be exempt from all taxation in the State of Mississippi.

780 **SECTION 23.** The proceeds of the bonds issued under this act
781 shall be used solely for the purposes herein provided, including
782 the costs incident to the issuance and sale of such bonds.

783 **SECTION 24.** The State Treasurer is authorized, without
784 further process of law, to certify to the Department of Finance
785 and Administration the necessity for warrants, and the Department
786 of Finance and Administration is authorized and directed to issue
787 such warrants, in such amounts as may be necessary to pay when due
788 the principal of, premium, if any, and interest on, or the
789 accreted value of, all bonds issued under this act, and the State
790 Treasurer shall forward the necessary amount to the designated
791 place or places of payment of such bonds in ample time to
792 discharge such bonds, or the interest thereon, on the due dates
793 thereof.

794 **SECTION 25.** (1) System restoration charges shall not be
795 included within the gross income of the utility in the calculation
796 of any sales tax pursuant to Section 27-65-19, Mississippi Code of
797 1972, or the calculation of any gross revenues of the electric
798 utility in the calculation of any franchise fees pursuant to
799 Section 77-3-17, Mississippi Code of 1972, or pursuant to any
800 franchise fee agreement between any electric utility and any
801 municipality.



802 (2) Nothing in this act shall be construed or interpreted as
803 lessening or reducing the rights and privileges of an electric
804 utility set out in Section 79-23-1, Mississippi Code of 1972, and
805 in the Mississippi Uniform Trade Secrets Act, Section 75-26-1 et
806 seq., Mississippi Code of 1972, and in the rules and regulations
807 of the Public Service Commission implementing such statutes.

808 **SECTION 26.** The state pledges to and agrees with holders of
809 system restoration bonds or system restoration property, and other
810 financing parties, that the state will not:

811 (a) Alter the provisions of this act which make the
812 system restoration charge imposed by a financing order
813 irrevocable; or

814 (b) Take or permit any action that would alter or
815 impair the system restoration property or, except as allowed under
816 this act, reduce, alter or impair the system restoration charge
817 that is to be imposed, collected and remitted for the benefit of
818 the bondholders and other financing parties until any and all
819 principal, interest, premium, financing costs and other fees,
820 expenses or charges incurred, and any contracts to be performed in
821 connection with the related system restoration bonds, have been
822 paid and performed in full. The state shall cause this pledge to
823 be included in any documentation relating to the system
824 restoration bonds.

825 **SECTION 27.** The provisions of this act shall be deemed to be
826 full and complete authority for the exercise of the powers herein



827 granted, but this act shall not be deemed to repeal or to be in
828 derogation of any existing law of this state.

829 **SECTION 28.** This act shall take effect and be in force from
830 and after its passage.

