



## Ohio Revised Code

### Section 745.06 Agreement by municipal corporation with public utility as to compensation and time of purchase - proceedings.

Effective: October 1, 1953

Legislation: House Bill 1 - 100th General Assembly

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Any municipal corporation may, contemporaneously with or at any time after the grant of an indeterminate permit as provided in sections 745.02 and 745.03 of the Revised Code, agree with a public utility upon the compensation to be paid for its property and the times for the exercise of the privilege of purchase, but no period between the times fixed for such purchase shall exceed five years. Upon the determination of the municipal corporation to acquire the property of such public utility, the amount to be paid by the municipal corporation and the terms of the acquisition shall be as agreed upon. The agreement of the municipal corporation shall be by ordinance. In the same or other ordinances, the municipal corporation and the public utility may agree upon:

- (A) The amount of or basis of calculating the amount of annual payment to be made to the municipal corporation to be treated as operating expenses of the utility or otherwise;
- (B) The basis of a division of earnings between the utility and the municipal corporation;
- (C) The purposes for which and the amounts or the basis for calculating the amounts in which new stock, bonds, or other securities may be issued;
- (D) The minimum net earnings or basis of or device for calculating the minimum net earnings which the utility may earn as a condition precedent to a reduction of fares or rates, and as a test of the reasonableness of extensions;
- (E) The initial rates, fares, and charges, and the dates of revision of rates, fares, or charges, but no period between dates fixed for revision shall exceed five years;
- (F) The obligations of the utility with reference to minimum maintenance, renewal, and depreciation reserve funds;



(G) The arbitration of differences;

(H) Other terms relative to the construction, maintenance, financing, operation, and control of service of the utility consistent with sections 745.01 to 745.14, inclusive, of the Revised Code and an indeterminate permit.

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