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## DIGEST

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HB 494 Reengrossed

2025 Regular Session

Domangue

**Abstract:** Provides for the regulation of tank facilities, terminal facilities, and truck unloading facilities as they relate to petroleum transportation.

Present law provides definitions relative to common carriers.

Proposed law amends the definitions of "common carrier" and "pipe line" to clarify that petroleum transportation business and tank facilities must be necessary or integral to the pipe line transportation function, and to exclude from the definition of "pipe line" certain terminal and unloading facilities.

Present law requires the Public Service Commission to establish and enforce rates and regulations for certain common carriers, including tank facilities and petroleum transportation.

Proposed law specifies that the Public Service Commission is only required to regulate tank facilities that are integral to the pipe line transportation function and not certain terminal facilities and truck unloading facilities related to petroleum transportation.

Proposed law provides for prospective and retrospective application of proposed law, except that proposed law shall not apply retroactively to the matter entitled *Cantium, LLC v. Rosefield Fourchon Operating, LLC*, Docket No. T-37136, pending before the Louisiana Public Service Commission and any appeals of that matter, including any and all claims by and between the parties asserted in that action.

(Amends R.S. 45:251(1) and (3) and 255)

### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Amend the definition of "pipe line" to clarify that it does not include pipes designed and used solely within a terminal facility for terminalling services and associated services, tanks designed and used for terminalling services, and truck unloading facilities.
2. Specify that the Public Service Commission's power to establish rates and regulations for petroleum transportation by common carriers excludes pipes designed and used solely within a terminalling facility for terminalling services and associated services, tanks designed and used for terminalling services, and truck unloading facilities.

The House Floor Amendments to the engrossed bill:

1. Clarifies that the provisions of proposed law shall not apply retroactively to the matter entitled *Cantium, LLC v. Rosefield Fourchon Operating, LLC*, Docket No. T-37136, pending before the Louisiana Public Service Commission and any appeals of that matter, including any and all claims by and between the parties asserted in that action.