

*Prohibitions**23. (Franchises, Contracts, Securities.)*

(a) Hereafter, no public service company shall exercise any franchise granted by law except to the extent authorized by the commission.

(b) Hereafter, no public service company shall, without the prior authorization of the commission:

(1) Assign, lease or transfer any franchise or right thereunder or enter into any agreement or contract materially affecting such franchise or right;

(2) Purchase, acquire, take or hold any part of the capital stock of any other public service company; **ORGANIZED OR EXISTING UNDER OR BY VIRTUE OF THE LAWS OF THIS STATE;**

(3) Abandon or discontinue in whole or in part the exercise of any franchise or right;

(4) Assume or guarantee any obligation or liability in any capacity or by any means in respect of stocks, bonds, securities, notes or other evidence of indebtedness of any person, payable in whole or in part more than twelve months after the date thereof. This subparagraph (4) shall apply only to corporations organized or existing or hereafter incorporated under or by virtue of the laws of this state.

(5) Issue stocks, bonds, securities, notes, or any other evidence of indebtedness payable in whole or in part more than twelve months after date of issuance. Such stocks, etc. shall be issued in accordance with sections 58 and 59 of this article. This subparagraph (5) shall apply only to corporations organized or existing or hereafter incorporated under or by virtue of the laws of this state.

(c) Subject to the additional requirements set forth in the following subsections of this section, the commission may authorize any of the acts enumerated in the preceding subsection (b), upon a finding that to do so is consistent with the public convenience and necessity. No authority granted in accordance with this subsection, however, shall revive any lapsed franchise or validate any invalid franchise or enlarge or add to the powers and privileges in any franchise, or waive any forfeiture.

(d) No authority shall be granted under subsection (a) of this section unless the company has filed with the commission a certified copy of its charter and a statement, under oath, of its president and secretary, that it has received the required consent of the proper local authorities.

(e) No public service company shall take, hold, or acquire any part of the capital stock of any public service company of the same class, organized or existing under or by virtue of the laws of this state, without prior authorization by the commission. No stock corporation of any description (except, with the authorization of the commission, a company of the same class) shall take, hold or acquire more than ten per cent of the total capital stock of any public service company organized or existing under or by virtue of the laws of this state, unless such stock is to be taken as collateral security and the commission approves of its being so taken; and no such public service company shall be party to the violation of this subsection. For the