

Chapter X
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(Volume 7)
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 - (2) [§1214] Judicial Powers of Commission.
 - (3) [§1215] Power To Obtain Injunction.
 - (4) [§1216] Powers of Other Governmental Agencies.
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 - (2) [§1218] Private Right of Action Allowed.
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- (d) **Public Utilities Regulated by Commission.**
 - (1) [§1220] In General.
 - (2) [§1221] Public Transportation Authority.
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 - (1) [§1222] In General.
 - (2) [§1223] Exceptions Based on Source of Power.
 - (3) [§1224] Specialized Transportation Vehicles.
- (f) [§1225] Private Utilities.
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 - (2) Regulation of Rates.
 - (aa) [§1227] In General.
 - (bb) [§1228] Test of Reasonableness.
 - (cc) [§1229] Distribution of Rate Refunds.
 - (3) Regulation of Service.
 - (aa) [§1230] In General.
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- (i) Procedure Before Commission.
 - (1) [§1234] In General.
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 - (b) [§1243] Municipal Corporation.
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 - (a) [§1254] Acquisition of Title or Possession.
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 - (1) [§1255] In General.
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- (c) [§1259] Temporary Taking of Going Business.
- 2. [§1260] Noncompensable Injury.

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- 1. What Constitutes Damage.
 - (a) [§1261] In General.
 - (b) [§1262] Limitations on Right to Compensation.
 - (c) [§1263] Compensation Without Tort Liability.
 - (d) [§1264] Mitigation Damages.
 - (e) [§1265] Service Duplication.
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 - (g) [§1267] Compensation to Option Holder.
- 2. Noncompensable Injury.
 - (a) [§1268] Emergency Exercise of Police Power.
 - (b) [§1269] No Property Right.
 - (c) [§1270] Access to Navigable Waters.
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- 1. In General.
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- 2. Physical Taking or Damage.
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 - (2) [§1276] Surface Waters.
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- (2) [§1280] Direct Access Cut Off.
 - (3) [§1281] Circuity of Travel and Loss of Traffic.
 - (4) [§1282] Miscellaneous Inconveniences.
 - (d) [§1283] Nuisance Rendering Property Uninhabitable.
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- (a) In General.
 - (1) [§1284] Valid Exercise of Police Power.
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 - (aa) [§1285] In General.
 - (bb) [§1286] Rent Control.
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 - (4) [§1288] Affordable Housing Requirements.
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 - (b) Temporary Taking.
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 - (2) [§1295] Delay in Development Process.
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- (a) [§1298] In General.
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 - (1) [§1299] In General.
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- (e) [§1303] Costs and Attorneys' Fees.
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- 1. In General.
 - (a) [§1305] Nature, Organization, and Scope.
 - (b) [§1306] Definitions.
 - (c) [§1307] Rules of Practice.
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 - (e) [§1309] Jurisdiction of Public Utilities Commission.
- 2. The Right To Take.
 - (a) General Limitations on Exercise of Power.
 - (1) Public Use Limitations.
 - (aa) [§1310] In General.
 - (bb) [§1311] Condemnation of Sport Franchise.
 - (2) Statutory Authorization Is Required.
 - (aa) [§1312] In General.
 - (bb) [§1313] Private Person's Utility Easement.
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 - (3) [§1315] Public Necessity Is Required.
 - (4) [§1316] Extraterritorial Condemnation.
 - (b) Rights Included in Grant of Authority.
 - (1) [§1317] Necessary Interests in Property.
 - (2) [§1318] Property To Make Principal Use Effective.
 - (3) [§1319] Acquisition of Remainder With Consent.
 - (4) [§1320] Joint Exercise of Power.
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 - (c) [§1322] Future Use.
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- (2) [§1324] To Relocate Public Use.
 - (3) [§1325] To Provide Utility Service or Access to Road.
 - (e) [§1326] Excess Condemnation.
 - (f) Property Appropriated to Public Use.
 - (1) Condemnation for Compatible Joint Use.
 - (aa) [§1327] Nature of Power.
 - (bb) [§1328] Terms and Conditions of Joint Use.
 - (2) Condemnation for More Necessary Public Use.
 - (aa) [§1329] Nature of Power.
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- (a) Preliminary Location, Survey, and Tests.
 - (1) [§1331] Right To Enter.
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 - (3) [§1333] Owner's Action for Damages.
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 - (1) [§1334] Requirement.
 - (2) [§1335] Effect of Resolution.
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- (a) [§1339] Jurisdiction and Venue.
 - (b) [§1340] Parties.
 - (c) [§1341] Pleading.
 - (d) [§1342] Process.
 - (e) Pretrial Settlement Offers.
 - (1) [§1343] In General.

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- (2) [§1344] Reasonableness of Offer.
 - (3) [§1345] Award of Litigation Expenses.
 - (f) [§1346] Alternative Dispute Resolution.
 - (g) [§1347] Discovery and Exchange of Valuation Data.
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- (a) Deposit of Probable Compensation.
 - (1) [§1348] In General.
 - (2) [§1349] Procedure.
 - (3) [§1350] Increase or Decrease of Deposit.
 - (4) [§1351] Deposit on Demand of Homeowner or Lessor.
 - (5) [§1352] Withdrawal of Deposit.
 - (b) Possession Prior to Judgment.
 - (1) [§1353] Application and Order.
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- (a) [§1356] In General.
 - (b) [§1357] Contesting Right To Take.
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 - (1) [§1358] In General.
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- (a) [§1360] Right to Compensation.
 - (b) [§1361] Date of Valuation.
 - (c) Compensation for Improvements to Realty.
 - (1) [§1362] In General.
 - (2) [§1363] Effect of Leasehold Interest.
 - (3) [§1364] Improvements Removed or Destroyed.
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- (d) [§1366] Compensation for Crops.
- (e) Measure of Compensation for Property Taken.
 - (1) Fair Market Value.
 - (aa) [§1367] In General.
 - (bb) [§1368] Determining Market Value.
 - (cc) [§1369] Admissible Matters.
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 - (ee) [§1371] Value of Easement.
 - (2) Changes Due to Imminence of Project.
 - (aa) [§1372] Project Enhancement.
 - (bb) [§1373] Condemnation Blight.
- (f) Injury to Remainder.
 - (1) [§1374] Right to Compensation.
 - (2) Severance Damages.
 - (aa) [§1375] In General.
 - (bb) [§1376] Unity of Title.
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 - (3) Measure of Damages.
 - (aa) [§1379] In General.
 - (bb) [§1380] Improper Elements.
 - (4) Benefit to Remainder.
 - (aa) [§1381] When Offset Is Proper.
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- (g) Compensation for Loss of Goodwill.
 - (1) [§1383] In General.
 - (2) [§1384] Conditions for Recovery.
 - (3) [§1385] Valuation and Proof of Loss.
- (h) [§1386] Personal Property of Destroyed Business.
- (i) [§1387] Mitigation Work by Condemnor.

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- (j) [§1388] Protective Work by Owner.
- 9. Divided Interests.
 - (a) [§1389] Leases.
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- 10. Postjudgment Procedure.
 - (a) [§1393] Payment and Final Order.
 - (b) Deposit and Withdrawal of Award.
 - (1) [§1394] Deposit After Judgment.
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 - (d) Interest.
 - (1) [§1397] In General.
 - (2) [§1398] Market Rate of Interest.
 - (e) Ad Valorem Property Taxes.
 - (1) [§1399] Liability, Proration, and Payment.
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 - (h) Expenses and Damages on Dismissal or Defeat of Right To Condemn.
 - (1) [§1404] Litigation Expenses.
 - (2) [§1405] Damages Caused by Dispossession.
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- 11. Arbitration.
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 - (b) [§1408] Effect and Enforcement of Agreement.
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2. [§1411] Authorized Payments and Assistance.
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B. What Constitutes Contract.

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2. [§1420] Corporate Charter.
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 - (a) [§1423] Contractual Theory.
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1. [§1426] Valid Changes in Remedy or Procedure.
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3. Valid Impairment Under Police Power.
 - (a) [§1428] Emergency Legislation.
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 - (c) [§1430] Insurance Contracts.
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 - (a) [§1433] In General.
 - (b) [§1434] Transportation.
 - (c) [§1435] Interstate Activity Without Transportation.
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 - (a) Prohibitory Legislation.
 - (1) [§1437] General Principle.
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 - (1) [§1439] In General: Dormant Commerce Clause.
 - (2) [§1440] Legislation Protecting Local Industry.
 - (3) [§1441] Restrictions on Waste Disposal.
 - (4) [§1442] Condemnation of Sports Franchise.
 - (5) [§1443] Other Restrictions.
 - (c) State Regulatory Powers Generally.
 - (1) [§1444] Local Phases of Commerce.
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- (5) Congressional Silence.
 - (aa) [§1448] In General.
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- (6) Express Congressional Authority.
 - (aa) [§1450] Rule and Illustrations.
 - (bb) [§1451] Distinctions.
- (7) [§1452] Direct Burdens Under Twenty-First Amendment.
- (d) Police Power Regulations.
 - (1) [§1453] Health and Safety Measures.
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 - (3) [§1455] Economic Restrictions on Imports.
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- 1. [§1464] In General.
- 2. [§1465] Economic Regulations.
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 - (a) [§1470] American Military Court System.
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 - (a) [§1479] In General.
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