

CHAPTER 177.

[H. B. 122.]

AMENDING INSURANCE CODE.

Amends Rem.-Bal. §§ 6059-4, 6059-6, 6059-13½, 6059-14, 6059-24, 6059-26, 6059-36, 6059-44, 6059-45, 6059-57, 6059-73, 6059-106, 6059-182, 6059-186, 6059-202, and adds § 6059-37.

AN ACT relating to insurance, and amending sections 6059-4, 6059-6, 6059-13½, 6059-14, 6059-24, 6059-26, 6059-36, 6059-44, 6059-45, 6059-57, 6059-73, 6059-106, 6059-182, 6059-186 and 6059-202 of Remington & Ballinger's Annotated Codes and Statutes of Washington; and further amending title XLV of volume 3 of Remington & Ballinger's Annotated Codes and Statutes of Washington by adding thereto a section known as section 6059-7½ providing that domestic insurance companies must be licensed in other states before accepting business on risks in such states; and by adding thereto a section known as section 6059-37 requiring insurance adjusters to procure a license.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 6059-4 Rem. & Bal. Code be amended to read as follows:

Section 6059-4. *Term of Office—Salary.*

Term of office.

The term of office of the state insurance commissioner, who shall be elected at the next general election for the State of Washington, shall commence on the Wednesday after the second Monday in January after his election and he shall hold his office for the term of four years and until his successor is elected and qualified; and thereafter the term of office of said officer shall commence upon the Wednesday after the second Monday of January following his election. The state insurance commissioner shall receive a salary of three thousand dollars per year, which shall be in full for all services performed by him.

Salary.

SEC. 2. That section 6059-6 Rem. & Bal. Code be amended to read as follows:

Section 6059-6. *Deputy Commissioner — Actuary — Examiner—Salaries.*

Deputy, actuary, and clerks.

The state insurance commissioner may appoint a deputy insurance commissioner, who shall take and subscribe the same oath of office as the state insurance commissioner, which oath shall be endorsed upon the certificate of his appointment and filed in the office of the secretary of state. Said appointment may be revoked at the will of the com-

missioner, who shall be held responsible for all official acts of his said deputy. The deputy insurance commissioner shall receive a salary of two thousand four hundred dollars per year. The commissioner may also appoint an actuary or examiner and such other deputies and employ such additional clerks and stenographers as the public business in his office may require, at an expense not exceeding the amount appropriated by the legislature.

Compensation.

Neither the commissioner nor any deputy, nor any employee in his office, shall be directly or indirectly interested in any insurance company, except as an ordinary policy holder.

SEC. 3. That section 6059-13 $\frac{1}{2}$ Rem. & Bal. Code be amended to read as follows:

Section 6059-13 $\frac{1}{2}$. *Venue of Action on Insurance Policy.*

Any insurance company may be sued upon a policy of insurance in any county within this state where the cause of action arose, by serving the summons and a copy of the complaint upon the company, if a domestic company, or upon the commissioner, as attorney in fact of the company, if an alien or foreign company. Legal service of process upon an insurance company doing business in this state can only be had in the manner set forth in this and the preceding section.

Service of process.

SEC. 4. That section 6059-14 Rem. & Bal. Code be amended to read as follows:

Section 6059-14. *Annual Statement Blanks.*

The commissioner shall annually, in November or December, furnish to each insurance company authorized to transact business in this state two or more blank forms to conform to the class or classes of insurance which they are authorized to write and commonly known as "convention form blanks," and which blank forms have been approved by the National Convention of State Insurance Commissioners, on which to make its annual statement.

Blank forms for annual statements.

For the purpose of carrying out the provisions of this section, the commissioner is authorized to purchase blanks

Purchase of blank forms.

from any publishing house which makes a specialty of printing the "convention form of blanks" for the different states, and to pay for the same out of the appropriation made for the incidental expenses of his office.

SEC. 5. That section 6059-24 Rem. & Bal. Code be amended to read as follows:

Section 6059-24. *Deposit of Securities.*

Deposits by
foreign
companies.

Every foreign insurance company doing business in this state and required by this act to have a cash capital, shall deposit and keep on deposit with the state treasurer, through the office of the insurance commissioner of this state, the same amount and character of securities which a like domestic company is required to deposit with the depository for securities of insurance companies of the state by whose laws such insurance company is incorporated.

When any state shall require insurance companies of other states to deposit with some officer of such other state securities in trust for policy holders of such company as a prerequisite to their transacting business in such state, the treasurer of this state shall receive on deposit from any domestic insurance company the securities required by the laws of such other state.

Deposits by
domestic
companies.

Every domestic insurance company required by this act to deposit securities to the amount as provided by this act shall deposit such securities with the state treasurer, through the office of the insurance commissioner, and any domestic insurance company may deposit such securities with the state treasurer, through the office of the insurance commissioner, for the protection of all policy holders of such company.

The funds, securities, and investments so deposited and kept on deposit with the state treasurer, or any trust company designated by him as herein authorized, shall be held as security for the protection of all policy holders having policies duly issued by such company, or by any of its agents.

Interest and
dividends on
securities.

During the time such company continues solvent, and complies with the law, it shall be permitted to collect the

interest and dividends accruing on such securities, and such funds, securities, and investments, so deposited, may be exchanged from time to time for other authorized securities of equal amount and value, at the election and upon the request of the company depositing the same: *Providing*, That if any such company now has on deposit, or shall hereafter deposit, with the proper insurance depository, of similar securities in any other state, or district in the United States, or of the United States, in accordance with the laws thereof, the commissioner, upon proper showing and application, to be made by such company, may allow such company credit on account of the amount and value of the deposit required to be made by it in this state, to the amount and value of the securities so kept by it on deposit in such other state or district or government, and may allow such company to withdraw and transfer, of the securities deposited with the state treasurer, the amount so deposited, and kept on deposit in such other state, or district or government.

Credit for deposits in other states.

The state treasurer may appoint and designate any solvent trust company organized under the laws of this state, and doing business in the city where the principal office of any domestic insurance company is located, the state treasurer's depository, to receive and hold on deposit, any funds, securities, and investments provided by this section to be deposited with the state treasurer. All funds, securities, and investments, deposited as provided by this act, shall be registered by the commissioner in accordance with such rules as he may promulgate. No transfer of securities, so held on deposit, shall be valid unless countersigned by the state treasurer, his deputy, or authorized agent.

Designation of state treasurer's depository for securities.

The state treasurer shall keep in his office a book in which shall be entered the name of the company from whose account such transfer of securities is made, the name of the transferee, the par value of the securities transferred and the amount for which every mortgage transfer is held. The state treasurer shall have access at

Record by treasurer of deposits and transfers.

all times, during office hours, to the books and records of the commissioner, for the purpose of ascertaining the correctness of the entries upon the same, of any transfer; and the commissioner shall have access, during office hours, to the books or records herein kept by the state treasurer, to ascertain the correctness of the entries upon same. The state treasurer shall state in his report to the legislature, the total amount of such deposits held by him and of such transfers countersigned by him.

Withdrawal
of deposits
to meet
losses.

Whenever any insurance company making such deposit of its securities with the state treasurer, shall sustain losses in excess of its other resources, the commissioner, upon proper showing and application, may authorize and direct the state treasurer to turn over and deliver so much of the securities of such company, to the commissioner, or such insurance company, or such person as the superior court of this state may appoint for such purpose, as shall be necessary to provide funds sufficient to pay its losses, and such securities shall not be used for any other purpose. The commissioner may allow such insurance company a reasonable time, to be determined by the commissioner, upon proper showing and application, to be made by such company, in which to deposit with the state treasurer, securities authorized by law, equal in amount and value to the securities so withdrawn: *And, provided,* That any company entering into a re-insurance contract, whereby its entire business is to be re-insured as provided in this act, the commissioner may, upon application and proper showing, release the deposit securities held by the state treasurer to the credit of said company upon being satisfied that all outstanding obligations of said company have been paid or assumed by the re-insuring company.

SEC. 6. That section 6059-26 Rem. & Bal. Code be amended to read as follows:

Section 6059-26. *Annual Statement.*

Annual
statement of
companies.

All insurance companies now doing business in this state, or that may hereafter do business in this state, unless otherwise provided in this act, must make and file with the commissioner annually, on or before the fifteenth day

of February in each year, a statement under oath, upon a form to be prescribed and furnished by the commissioner, stating the amount of all premiums collected, or contracted for by the company making such statement, in this state, during the year ending December thirty-first, next preceding; the amounts actually paid policy holders on losses; the amounts paid policy holders as return premiums; the amounts paid policy holders as dividends; the amount of insurance re-insured in other companies authorized to do business in this state, naming them, and the amount of premiums paid therefor; and the amount of insurance re-insured in companies, naming them, not authorized to do business in this state, and the amount of premiums paid therefor; and the amount of re-insurance accepted from admitted companies and the premiums received for such re-insurance on risks located in this state, with the name of the companies so re-insured.

The commissioner shall file a copy of such verified statement or schedule with the state treasurer, and said company shall pay to the state treasurer, through the insurance commissioner's office, a tax of two and one-quarter per centum on all premiums collected, or contracted for: *Provided*, That in the case of companies engaged in fire or marine insurance, or any other lines of insurance, except life insurance, the tax shall be collected on such premiums, after deducting from the gross amount thereof the amounts paid to policy holders as returned premiums and the amounts paid as premiums to admitted companies for re-insurance; and in the case of life insurance the tax shall be collected on the gross amount of premiums, after deducting therefrom the amounts paid as premiums to admitted companies for re-insurance: *And provided, further*, That if any such company, corporation or association shall have fifty per centum or more of its assets invested in any bonds or warrants of this state, or bonds or warrants of any county, city, or district within this state, or in taxable property within this state, or in first mort-

Tax on
premiums
collected.

Reduction
of tax in
case of local
investment
assets.

gages upon improved real estate within this state, then the tax shall be but one per centum on the amount so collected.

The taxes herein provided for shall be due and payable on the first day of March succeeding the filing of the statement provided for herein.

Penalty for failure to pay tax.

Any company, failing or refusing to render such statement and information, and to pay taxes herein specified, for more than thirty days after the time specified, shall be liable for a fine of twenty-five dollars for each additional day of delinquency, and such tax may be collected by distraint, and such fine may be recovered by an action, to be instituted by the commissioner, in the name of the state, the attorney general representing him, in any court of competent jurisdiction. The amount of the fine collected shall be paid to the state treasurer and credited to the general fund; and the commissioner may revoke and annul the certificate of authority of such delinquent company, until such taxes and fine, should any be imposed, are fully paid.

The annual statement made to the commissioner, pursuant to this section, or other provisions of law, shall at least include the substance of that required by what is known as the "convention blank form," adopted from year to year, by the National Convention of Insurance Commissioners, and shall also include such other information as may be required by the commissioner.

SEC. 7. That section 6059-36 Rem. & Bal. Code be amended to read as follows:

Section 6059-36. *Insurance to Be Placed Through Agents.*

Licensed agents for placing insurance.

It shall be unlawful for any insurance company admitted to do business in this state to write, place or cause to be written or placed, any policy of insurance covering risks located in this state, except through or by a duly authorized licensed agent of such company residing and doing business in this state: *Provided*, That where the insured calls at the principal office of the company and requests a policy, the risk may be covered and the policy procured through the duly authorized agent in the territory wherein the risk is located: *And provided, further*, That a license

Non-resident special agents.

may be granted to a non-resident special agent authorizing such agent to work with and assist local agents in this state in writing business, but in all such cases the local agent is to retain his full commissions.

Each non-resident special agent granted a license under this provision shall pay an annual fee of five dollars (\$5.00), and all licenses issued therefor shall expire on the thirty-first day of March subsequent to the date of issue.

License fee.

SEC. 8. That section 6059-44 Rem. & Bal. Code be amended to read as follows:

Section 6059-44. *Agents', Solicitors' and Brokers' License. Must Act for Authorized Companies.*

It shall be unlawful, for any company, corporation, or association to transact the business of insurance in this state, except as provided in section 75 of this act, unless the company, corporation, or association, shall have complied with all the provisions of this act, and shall have obtained a certificate of authority from the commissioner.

Companies must be authorized to do business.

No person, firm, or corporation shall act as agent for any insurance company, in the transaction of any business of insurance within this state, or negotiate for, or place risks for, any such company, or in any way or manner aid such company in effecting insurance, or otherwise in this state, except as provided in section 75 of this act, unless such company shall in all things have complied with the provisions of this act. Every insurance agent, solicitor or broker shall annually, on or before the first day of April, procure a license from the commissioner who shall make and keep a record thereof.

Agents to procure license.

If any insurance company, corporation, or association, its agents or attorney, shall solicit insurance or shall issue a policy without having complied with the laws of this state, the company, corporation, or association, or its agent, or attorney, so issuing the policy or accepting the application for the same, shall be guilty of a gross misdemeanor and shall be subject to a fine of not less than

Penalty.

\$100. nor more than \$500. and imprisonment for a term of not exceeding six months, in the discretion of the court.

SEC. 9. That section 6059-45 Rem. & Bal. Code be amended to read as follows:

Section 6059-45. *Application for and Issuance of License.*

Applications
for license.

Showing to
be made.

Refusal of
license.

No license shall be issued to any applicant for an agent's, solicitor's, or broker's license until such applicant shall have first made and filed in the commissioner's office an application therefor upon a form to be prescribed and furnished by the commissioner, which must show the applicant's name, business and residence address, and in the case of an agent's or solicitor's license, the name of the company or agent to be represented, whether as solicitor, agent, or general agent; present occupation, occupation for last twelve months, portion of time to be devoted to the work, previous insurance experience, and name of employers during five years next preceding, and such other information as the commissioner may require. The statements and answers made in the application shall be warranted by the applicant and shall have the same force and effect as if such statements and answers had been made by the applicant as a sworn witness testifying in a superior court in this state. Applications for agent's or solicitor's license must be approved by some one company or by the agent to be represented; and in the case of an application for a broker's license, it must also show how long applicant has been engaged in the insurance business and in what branches, under whom applicant received his training, what income, if any, applicant has other than that to be derived from such business, and financial condition of applicant. It shall be the duty of the commissioner to withhold any license applied for, or revoke any license to any agent, solicitor or broker when he is satisfied that the principal use of such license is to effect insurance upon the property or liability of such agent, solicitor or broker, or to circumvent or violate the anti-rebate law. Each agent or solicitor shall be required to file but one applica-

tion regardless of the number of companies he represents; *Provided*, That no person shall act as agent for any company which shall not have applied for a license and paid the fee, provided in this act, for such agent, *And; Provided further*, That no solicitor shall hold a license for more than one agent for the same class or classes of insurance at the same time; neither can he be licensed as agent and solicitor for the same class or classes of insurance at the same time.

The insurance commissioner, after notice and hearing, and for cause shown, may revoke the license of any agent, if it is evident that such agent conducts his business in a dishonest manner, or misrepresents the policies or contracts he sells; or misrepresents the policies or contracts of other agents or companies; or is conducting his business in such a manner as to cause injury to the public and those dealing with him. Unless revoked by the commissioner, or unless the company by written notice to the commissioner cancels the agent's authority to act for it, such license and any other license issued to an agent or any renewal thereof shall expire on the 31st day of March next after its issue. But any license issued and in force when this act takes effect or thereafter issued, may, in the discretion of the commissioner, be renewed for a succeeding year or years by a renewal certificate without the commissioner's requiring the detailed information required by this act.

Revocation
of license.

Renewals.

SEC. 10. That section 6059-57 Rem. & Bal. Code be amended to read as follows:

Section 6059-57. *False Statement in Application for Insurance.*

Any agent, solicitor, broker, examining physician or other person, who makes a false or fraudulent statement, or representation, in or relative to an application for insurance, or who makes any such statement for the purpose of obtaining a fee, commission, money, or benefit in a company, transacting such business under the provisions of this act, shall be guilty of a misdemeanor, and the license

False state-
ments in
applications,
etc.

Penalty.

of such offending agent, solicitor or broker, shall be revoked.

SEC. 11. That section 6059-73 Rem. & Bal. Code be amended to read as follows:

Section 6059-73. *Rating Schedules—Filing—Use.*

Rating
schedules to
be filed.

Every insurance company, excepting a marine insurance company, before it shall receive a license to transact the business of making insurance as an insurer in this state, must file in the office of the insurance commissioner its rating schedules. Every such company and its agents shall observe its rating schedules and shall not deviate therefrom when making insurance until amended or corrected rating schedules shall have been filed in the office of the insurance commissioner.

Effect of
adoption of
advisory
rates.

Any company which shall make fire insurance in this state according to the advisory rates, or stated deviation or deviations therefrom, furnished by a rating bureau as provided in the following section, may receive a license to transact the business of making fire insurance in this state, without filing rating schedules, by filing written notice in the office of the insurance commissioner of its adoption of such advisory rates, stating the deviation or deviations therefrom, if any, at which it will make insurance, which deviation or deviations, if any, shall be uniformly applied to all purchasers of insurance from any such company in this state, in the class or classes to which such deviation or deviations apply.

SEC. 12. That section 6059-106 Rem. & Bal. Code be amended to read as follows:

Section 6059-106. *Policy Standard Form—What to Contain.*

Standard
form of
policy.

On and after January first, nineteen hundred and twelve, no fire insurance company shall issue any fire insurance policy covering on property or interest therein in this state other than on form known as the New York Standard as now or may be hereafter constituted, except as follows:

First. A company may print on or in its policy its name, location and date of incorporation, plan of operation, whether stock or mutual, and if mutual whether on cash premium or assessment plan; and if it be a stock company, the amount of its paid up capital stock, the names of its officers and agents, the number and date of the policy, and, if it is issued by an agent, the words, "This policy shall not be valid until countersigned by the duly authorized agent of the company at.....," and, if a mutual company, must state the contingent mutual liability of its policy holders or members for payment of losses and expenses not provided for by its cash funds until it shall have accumulated surplus assets of not less than one hundred thousand dollars, which it must maintain in securities deposited as required of stock companies, and, while it maintains such surplus assets on deposit, it may issue its policies with the statement thereon that the liability of the policy holder is limited to the premium paid, as hereinafter provided. Contents.

Second. A company may print or use in its policies printed forms of description and specifications of the property insured.

Third. A company insuring against damage by lightning may print in the clause enumerating the perils insured against, the additional words, "also any damage by lightning whether fire ensues or not," and in the clause providing for an apportionment of loss in case of other insurance the words, "whether by fire, lightning or both." Lightning insurance.

Fourth. A domestic company may print in its policies any provisions which it is authorized or required by the law to insert therein, and any foreign or alien company may, with the approval of the commissioner, so print any provision required by its charter or deed of settlement, or by the laws of its own state or country, not contrary to the laws of this state; but the commissioner shall require any provision which, in his opinion, modifies the contract of insurance in such a way as to affect the question of loss to be appended to the policy by an endorsement or rider as hereinafter provided. Printing provisions required by law or charter.

Filling
blanks.

Fifth. The blanks in said standard form may be filled in in print or writing.

Sixth. A company may print upon policies issued in compliance with the preceding provisions of this section the words, "Washington Standard Policy."

Insertion of
additional
provisions.

Seventh. A company may write upon the margin or across the face of the policy, or write or print in type not smaller than nonpareil upon a slip, slips, rider or riders to be attached thereto, provisions adding to or relating to those contained in the Standard Form; and all such slips, riders, endorsements, and provisions must be signed by the officers or agents of the company so using them.

Mutual
company
regulations.

Eighth. If the policy be made by a mutual or other company having special regulations lawfully applicable to its organization, membership, policies or contracts of insurance, such regulation shall apply to and form a part of the policy as the same may be written or printed upon, attached, or appended thereto.

Lloyds'
policies.

Ninth. If the policy be made by a company operating on the plan known as "Lloyds," it shall have the name and address of each underwriter printed on the back of the policy.

Designation
of character
of company
on policy.

Tenth. Every policy shall have legibly inscribed upon its face and filing back suitable words to designate whether the company making such insurance be a stock, or mutual company, or "Lloyds," or Inter-Insurers Association.

"Noon"
defined.

The word "noon" occurring in the policy shall be construed to be the noon of standard time of the place where the property covered by the policy is situated.

SEC. 13. That section 6059-182 Rem. & Bal. Code be amended to read as follows:

Section 6059-182. *Medical Examination Must Be Made.*

Medical
examination
for life
insurance.

No life insurance company organized under the laws of, or doing business in, this state, shall enter into any contract of insurance upon lives within this state, except industrial insurance or where premiums are payable monthly or oftener, without having previously made, or caused to be made, a prescribed medical examination of the insured

by a legally qualified practicing physician: *Provided*, That any regularly commissioned physician of the United States Army or Navy shall be considered as legally qualified to make such examinations.

SEC. 14. That section 6059-202 Rem. & Bal. Code be amended to read as follows:

Section 6059-202. *Annual Financial Statements.*

Every company engaged in part of wholly in said business of insuring or guaranteeing the owners or encumbrancers of real property against loss as hereinbefore specified, shall on or before the first day of February in each and every year make and file with the commissioner a statement verified by oaths of the president and secretary of such company, showing the financial condition of the company on the thirty-first day of December next preceding, and shall show:

Annual statement by title insurance companies.

(1) The total authorized capital of the company and the amount thereof fully paid.

(2) The property and assets of the company, including securities on deposit with the state treasurer as guarantee fund.

(3) The liabilities of the company.

(4) The total income of the company during the calendar year preceding date of statement. Such statement of total income to show, (a) income from title insurance premiums; (b) income from investments and securities; (c) income from all other sources.

(5) The amount and character of risks written; the amount and character of risks expired; amount of losses incurred and paid; and claims for losses presented and pending settlement, all during aforesaid period.

Penalty for failure to file.

If the provisions of this section are not complied with on or before the fifteenth day of February in each year, the commissioner shall revoke the certificate of authority issued to the company.

SEC. 15. That title XLV of Volume 3 Rem. & Bal. Code be amended by adding thereto a section to be known as section 6059-7 $\frac{1}{2}$, to read as follows:

Section 6059-7 $\frac{1}{2}$. *Domestic Companies Doing Business in Other States.*

If, upon investigation the commissioner finds that any insurance company incorporated under the laws of this state, is doing business, other than the acceptance of re-insurance, in another state or territory without having first procured a license or authority from such state or territory, if any is required, authorizing it to do business therein, he shall revoke the authority of such company to do business in this state.

Vetoed
E. L.

SEC. 16. That title XLV of Volume 3 Rem. & Bal. Code be amended by adding thereto a section to be known as section 6059-37, to read as follows:

Section 6059-37. *Adjusters to Secure License.*

Each "adjuster" or "insurance adjuster" shall annually, on or before the first day of April in each year, procure a license from the insurance commissioner, permitting him to adjust losses for authorized insurance companies, and to adjust losses of unauthorized insurance companies on policies written by duly licensed agents for such companies in this state. He shall also secure a license for each separate company for each loss adjusted by him for non-admitted or unauthorized companies on policies which have not been written by or through a regularly licensed agent for such companies in this state: *Provided*, That an agent for a duly authorized insurance company may adjust and settle losses for the company for which he is licensed agent without procuring an "adjuster's" license.

Adjusters'
licenses.

It shall be the duty of all adjusters, or agents, upon making and completing the adjustment of any loss in excess of one hundred dollars, to at once notify the insurance commissioner, giving full information and stating the name of the assured, the amount of insurance carried, the name of the company or companies issuing the policies and the amount carried by each one, the amount of the

Notifying
commissioner
of adjust-
ments.

loss as adjusted, and any other information in his possession relative to such losses which may be requested by the commissioners.

Each "adjuster" or "insurance adjuster" licensed under the provision of this section shall pay an annual fee of ten dollars (\$10.00), and all licenses issued therefor shall expire on the thirty-first day of March subsequent to the date of issue.

License fee.

Passed the House March 1, 1915.

Passed the Senate March 9, 1915.

Approved, with the exception of section 15, by the Governor March 19, 1915.

Section 15 vetoed by the Governor March 19, 1915.

CHAPTER 178.

[S. B. 301.]

REQUIRING CERTIFICATES OF PUBLIC NECESSITY FOR NEW PUBLIC UTILITIES.

AN ACT amending chapter 117, Session Laws of 1911, being an act entitled: "An Act relating to public service properties and utilities, providing for the regulation of the same, fixing penalties for the violation thereof, making appropriation and repealing certain acts," by adding an additional section thereto, to be known as Section 74A.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Chapter 117 of the Session Laws of 1911, known as the "Public Service Commission Law," is hereby amended by adding thereto an additional section to be known as Section 74A to read as follows:

Amends
Laws 1911,
ch. 117,
Rem.-Bal.
§§ 8626-1 to
8626-112, by
adding § 74A.

Section 74A. No new public utility to render a service similar in character and location to the service rendered by any existing public utility in this state shall be constructed, maintained or operated without first obtaining a certificate of public necessity and convenience from the commission. Upon the filing of an application for such certificate the commission shall give reasonable notice in

Certificate
authorizing
competition
with existing
public
utilities.