

HOUSE BILL NO. HB0098

Public service commission-nontraditional rate making.

Sponsored by: Representative(s) Cohee, Latta and Martin
and Senator(s) Cooper and Johnson

A BILL

for

1 AN ACT relating to the public service commission; providing
2 a time limitation for nontraditional rate making as
3 specified; amending obsolete language; and providing for an
4 effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 37-2-121 is amended to read:

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10 **37-2-121. When rate to be changed by commission;**
11 **nontraditional rate making.**

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13 If upon hearing and investigation, any rate shall be found
14 by the commission to be inadequate or unremunerative, or to
15 be unjust, or unreasonable, or unjustly discriminatory, or
16 unduly preferential or otherwise in any respect in

1 violation of any provision of this act, the commission,
2 within the time periods provided under W.S. 37-3-106(c) may
3 fix and order substituted therefor ~~such a~~ rate as it shall
4 determine to be just and reasonable, and in compliance with
5 the provisions of this act. ~~Such~~The rate so ascertained,
6 determined and fixed by the commission shall be charged,
7 enforced, collected and observed by the public utility for
8 the period of time fixed by the commission. The rates may
9 contain provisions for incentives for improvement of the
10 public utility's performance or efficiency, lowering of
11 operating costs, control of expenses or improvement and
12 upgrading or modernization of its services or facilities.
13 Any public utility may apply to the commission for its
14 consent to use innovative, incentive or nontraditional rate
15 making methods. In conducting any investigation and
16 holding any hearing in response thereto, the commission may
17 consider and approve proposals which include any rate,
18 service regulation, rate setting concept, economic
19 development rate, service concept, nondiscriminatory
20 revenue sharing or profit-sharing form of regulation and
21 policy, including policies for the encouragement of the
22 development of public utility infrastructure, services,
23 facilities or plant within the state, which can be shown by

1 substantial evidence to support and be consistent with the
2 public interest.

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4 **Section 2.** This act is effective July 1, 2005.

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(END)