

ORIGINAL SENATE
FILE NO. 0085

ENROLLED ACT NO. 23, SENATE

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING
2009 GENERAL SESSION

AN ACT relating to cooperative electric utilities; providing for exemption from rate regulation of all energy sources of any cooperative electric utility with member owners in the state; requiring equal energy retail rates as specified; and providing for an effective date.

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

Section 1. W.S. 37-17-101(a)(i), (ii) and (iv) and 37-17-104 by creating a new subsection (f) are amended to read:

37-17-101. Definitions.

(a) As used in this article:

(i) "Cooperative electric utility" means any nonprofit, member-owned cooperative ~~organized under the laws of the state of Wyoming and~~ engaged in the business of distributing ~~electric energy,~~ including any energy related commodity currently approved under rules and regulations of the public service commission and any future energy related commodities approved by the public service commission, in the state of Wyoming;

(ii) "Member owner" means any cooperative electric utility owner that uses and pays retail ~~electric~~ rates for ~~electricity~~ energy distributed by the cooperative electric utility;

(iv) "Retail rates" means the monthly facilities charge and the rates charged for ~~individually metered kilowatt or kilowatt hours delivered to every member owner of the cooperative~~ any energy related commodity.

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37-17-104. Adjustment of retail rates; complaint; investigation; resolution.

(f) Any cooperative exempted under W.S. 37-17-103 shall apply energy retail rates equally to all member owners in the same rate class. In the event a cooperative does not apply energy retail rates equally, regardless of state boundaries, the cooperative will immediately be subject to rate regulation by the Wyoming public service commission.

Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk