

HOUSE BILL NO. HB0125

Cooperative utilities-rate regulation.

Sponsored by: Representative(s) Childers, Bonner and Krone
and Senator(s) Coe and Geis

A BILL

for

1 AN ACT relating to public utilities; extending time for
2 notification of vote on exemption of cooperative utilities
3 from rate regulation; amending notification procedures;
4 amending number of votes required; and providing for an
5 effective date.

6

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

8

9 **Section 1.** W.S. 37-17-101(a)(iii), 37-17-103(b),
10 37-17-104(a), (b) and (d) and 37-17-105(a) and (b) are
11 amended to read:

12

13 **37-17-101. Definitions.**

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15 (a) As used in this article:

16

1 (iii) "Notification" or "written notice" means
2 publication in a newspaper of general circulation within
3 the area served by the cooperative electric utility, ~~or~~ in
4 a newsletter distributed by the cooperative electric
5 utility, ~~or~~ and sent with a billing statement by the
6 utility;

7

8 **37-17-103. Procedures for exemption; exclusion from**
9 **exemption provisions.**

10

11 (b) A vote on exemption shall take place only during
12 a cooperative electric utility's annual meeting or by mail
13 ballots returned prior to and counted at the annual
14 meeting. Notification of a vote on the resolution shall be
15 provided to the member owners at least ~~thirty (30)~~ sixty
16 (60) days prior to the annual meeting.

17

18 **37-17-104. Adjustment of retail rates; complaint;**
19 **investigation; resolution.**

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21 (a) A cooperative electric utility exempted under
22 W.S. 37-17-103 shall give written notice to all member
23 owners, at least ~~thirty (30)~~ ninety (90) days prior to the
24 effective date of any retail rate adjustment, including

1 procedures for member consumers to comment on proposed
2 rates.

3

4 (b) If within ~~thirty (30)~~ ninety (90) days following
5 the date of mailing or publication of the notice a
6 complaint signed by not less than five percent (5%) of the
7 Wyoming member owners in a rate class is filed with the
8 cooperative electric utility, then a hearing shall be
9 conducted by the utility's board of directors, to attempt
10 to resolve the complaint. On request by a member owner,
11 for the exclusive purpose of preparing a complaint pursuant
12 to this subsection, and in compliance with the
13 cooperative's by-laws, the cooperative electric utility
14 shall provide a list to the member owner which includes the
15 names and contact information of all member owners included
16 in the rate class of the requesting member owner.

17

18 (d) If within two (2) months of final implementation
19 of a retail rate a complaint signed by not less than five
20 percent (5%) of the Wyoming member owners in any rate
21 class, is filed with the cooperative electric utility's
22 board of directors, the board shall have two (2) months
23 from the date of filing to attempt to resolve the

1 complaint. The complaint may be filed with the commission
2 after the expiration of this two (2) month period.

3

4 **37-17-105. Return to public service commission rate**
5 **regulation.**

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7 (a) The board of directors of a cooperative electric
8 utility shall hold an election on the question of returning
9 to retail rate regulation at the next annual meeting after
10 receiving a petition requesting the same, signed by at
11 least five percent (5%) of the total Wyoming member owners,
12 or upon the board's own motion.

13

14 (b) A vote on returning to rate regulation shall take
15 place only during a cooperative electric utility's annual
16 meeting or by mail ballots returned prior to and counted at
17 the annual meeting. Notification of a vote on the
18 resolution shall be provided to the member owners at least
19 ~~thirty (30)~~ sixty (60) days prior to the annual meeting.

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

5

6

(END)