SENATE FILE NO.   SF0142

Utilities-rate making.

Sponsored   by: Senator(s)   Case   and   Schiffer   and
                Representative(s) Brown and Zwonitzer, Dn.

A BILL

for

1   AN ACT relating to utilities; providing for nonpreferential

2   pricing for electrical generation when fixing rates; and

3   providing for an effective date.

4

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

6

7   **Section 1.** W.S. 37-2-122(a) is amended to read:

8

9   **37-2-122. Matters considered in fixing rates; order**

10 **changing services or facilities.**

11

12   (a) In determining what are just and reasonable rates

13 the commission may take into consideration availability or

14 reliability   of   service,   depreciation   of   plant,

15 technological   obsolescence   of   equipment,   expense   of

16 operation, physical and other values of the plant, system,

1 business and properties of the public utility whose rates

2 are under consideration.   In determining just and

3 reasonable rates for electricity the commission shall

4 consider common sets of facts developed pursuant to W.S.

5 37-2-114(b)(i) and regional benefits provided by the

6 utility. The cost of a qualifying facility situated within

7 Wyoming and greater than ten (10) megawatts in size shall

8 not be included in rates and a utility shall not be

9 required to enter into a transaction to purchase energy or

10 capacity from such a facility unless the cost of energy or

11 capacity or both of such transaction are determined by the

12 commission to be less than or equal to the utility's

13 avoided cost, considering the cost of energy or capacity

14 from all other available generation sources.   This

15 subsection shall not be interpreted in a manner

16 inconsistent with the requirements of applicable federal

17 statutes and regulations.

18

19   **Section 2.** This act is effective immediately upon

20 completion of all acts necessary for a bill to become law

21 as provided by Article 4, Section 8 of the Wyoming

22 Constitution.

23

24   (END)