

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:

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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. Rates shall not be found to be just and
7 reasonable under this subsection if they are based, in
8 whole or in part, on a utility's cost to purchase, from any
9 source, electrical energy or generating capacity that is
10 higher than the incremental cost of energy or capacity or
11 both, which, but for the purchase, the utility would
12 generate itself or purchase from another source.

13

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

18

19 (END)