

1 Page 2-lines 10 through 19 Delete entirely and insert:

2
3 "(f) A person purchasing an otherwise retiring coal fired
4 electric generation facility may sell electricity generated by the
5 facility to the electric public utility selling the otherwise
6 retiring coal fired electric generation facility, except for a
7 cooperative or municipal public utility, for the benefit of a
8 retail customer located in the existing service territory of that
9 electric public utility provided that the customer has more than
10 one (1) megawatt average demand and takes service at a primary or
11 transmission voltage level.

12
13 (g) If an electric utility purchases electricity from the
14 owner of an otherwise retiring coal fired electric generation
15 facility for the benefit of an eligible retail customer, the
16 utility serving that eligible retail customer shall purchase the
17 electricity at a cost and under terms and conditions that are
18 acceptable to and negotiated between the customer and the owner of
19 the otherwise retiring coal fired electric generation facility.
20 The electric public utility shall pass that cost through to the
21 customer without markup or modification except:

22
23 (i) For the collection of applicable taxes and the
24 appropriate uniform assessment, which shall be collected pursuant
25 to W.S. 37-2-106 through 37-2-109;

26
27 (ii) The customer shall only receive electricity as
28 provided in this section from the owner of an otherwise retiring
29 coal fired electric generation facility if the customer also
30 purchases partial requirements or equivalent service from the
31 electric public utility under rates, terms and conditions set by
32 the commission to compensate the public utility for its costs;

33
34 (iii) To ensure other Wyoming customers are not
35 negatively impacted by the arrangement provided for in this
36 section, the commission shall also authorize the utility to impose
37 additional charges on participating retail customers to the extent
38 the commission determines that a sale of electricity under this
39 section will result in the utility experiencing incremental
40 stranded generation capacity costs or other incremental costs
41 except for the cost of any undepreciated investments associated
42 with the otherwise retiring coal fired electric generation
43 facility.". LANDEN, CHAIRMAN