

SENATE FILE NO. SF0010

Utilities-rate making.

Sponsored by: Joint Corporations, Elections & Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to public utilities; providing for
2 nonpreferential pricing for electrical generation when
3 fixing rates; and 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 by creating new subsections
8 (c) and (d) is amended to read:

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10 **37-2-122. Matters considered in fixing rates; order**
11 **changing services or facilities; qualifying facilities**
12 **contracts.**

13

14 (c) In setting rates, the commission shall allow the
15 inclusion of purchase power cost from a qualifying facility

1 only to the extent that the cost of energy, capacity or
2 both in the transaction are determined by the commission to
3 be less than or equal to the utility's avoided cost,
4 considering the cost of energy or capacity from all other
5 available generation sources and the marginal cost of
6 transporting the energy from a qualifying facility to
7 customer load. This subsection shall not be interpreted in
8 a manner inconsistent with the requirements of applicable
9 federal statutes and regulations.

10

11 (d) As used in this section:

12

13 (i) "Avoided cost" means to the extent that a
14 distribution cooperative is an all-requirements power
15 supply customer of a generation and transmission
16 cooperative or other wholesale power supplier, the
17 distribution cooperative's avoided costs are the generation
18 and transmission cooperative's or wholesale power
19 supplier's avoided cost;

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21 (ii) "Qualifying facility" means a facility that
22 meets the qualification standards used in federal

1 regulations promulgated under the federal Public Utility
2 Regulatory Policies Act.

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

8

9

(END)