

ENROLLED ACT NO. 27, SENATE

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2018 BUDGET SESSION

AN ACT relating to public utilities; providing for nonpreferential pricing for electrical generation when fixing rates; and providing for an effective date.

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

Section 1. W.S. 37-2-122 by creating new subsections (c) and (d) is amended to read:

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

(c) In setting rates, the commission shall allow the inclusion of purchase power cost from a qualifying facility only to the extent that the cost of energy, capacity or both in the transaction are determined by the commission to be less than or equal to the utility's avoided cost, considering the cost of energy or capacity from all other available generation sources and the incremental cost of transporting the energy from a qualifying facility to customer load. This subsection shall not be interpreted in a manner inconsistent with the requirements of applicable federal statutes and regulations.

(d) As used in this section:

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

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(ii) "Qualifying facility" means a facility that meets the qualification standards used in federal regulations promulgated under the federal Public Utility Regulatory Policies Act.

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk