

ENROLLED ACT NO. 25, SENATE

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2024 BUDGET SESSION

AN ACT relating to public utilities; requiring the public service commission to establish standards related to electricity reliability; specifying that failing to comply with standards is subject to penalties; providing that the public service commission shall not allow for rate recovery for new or modified facilities that are likely to result in failure to comply with reliability standards; specifying that public utilities may enter into individualized energy contracts and may utilize customer-specific energy portfolios; and providing for an effective date.

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

Section 1. W.S. 37-18-102(a)(v)(A), by creating a new subparagraph (D), by creating a new paragraph (vi) and by creating a new subsection (f) is amended to read:

37-18-102. Energy generation portfolio standards; reporting requirements; rate recovery and limitations.

(a) Consistent with the objective of ensuring Wyoming electric utilities maintain access to reliable and cost effective electric generation resources, the public service commission shall establish by rule energy portfolio standards that will maximize the use of dispatchable and reliable low-carbon electricity. In establishing standards, the commission:

(v) Shall for each public utility:

(A) Not later than December 15, 2024, establish baseline standards for electric reliability to ensure adequate reliable dispatchable power in Wyoming. The standards established under this subparagraph may include limits on outages and shall ensure that new or expanded

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intermittent generation resources do not unreasonably diminish power quality or increase momentary outages across a utility's service territory or in any particular location;

(D) In considering generation facilities for inclusion in a utility's investment on which the utility is entitled to earn a rate of return, the commission may disallow the inclusion of some or all of the investment associated with nondispatchable resources if those resources do not operate as projected and require the utility to rely on more expensive sources of generation or materially contribute to a failure to comply with reliability standards.

(vi) A public utility that fails to maintain the standards established under this subsection may be subject to a civil penalty not to exceed one hundred thousand dollars (\$100,000.00) for each day that the violation persists. However, the maximum civil penalty shall not exceed one million dollars (\$1,000,000.00) for any related series of violations.

(f) Nothing in this chapter shall prevent a public utility from entering into individualized energy contracts or arrangements with large commercial or industrial customers to procure energy or capacity to meet customers' needs or from utilizing customer-specific energy portfolios pursuant to tariffs approved by the commission.

ORIGINAL SENATE
FILE NO. SF0022

ENGROSSED

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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