

SENATE FILE NO. SF0022

Public service commission-electricity reliability.

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

A BILL

for

1 AN ACT relating to public utilities; requiring the public
2 service commission to establish standards related to
3 electricity reliability; specifying that failing to comply
4 with standards is subject to penalties; providing that the
5 public service commission shall not allow for rate recovery
6 for new or modified facilities that are likely to result in
7 failure to comply with reliability standards; and providing
8 for an effective date.

9

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

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

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1 **37-18-102. Energy generation portfolio standards;**
2 **reporting requirements; rate recovery and limitations.**

3

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

11

12 (v) Shall for each public utility:

13

14 (A) Not later than December 15, 2024,
15 establish baseline standards for electric reliability to
16 ensure adequate reliable dispatchable power in Wyoming. The
17 standards established under this subparagraph may include
18 limits on outages and shall ensure that new or expanded
19 intermittent generation resources do not unreasonably
20 diminish power quality or increase momentary outages across
21 a utility's service territory or in any particular
22 location;

23

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

10
11 (vi) A public utility that fails to maintain the
12 standards established under this subsection may be subject
13 to a civil penalty not to exceed one hundred thousand
14 dollars (\$100,000.00) for each day that the violation
15 persists. However, the maximum civil penalty shall not
16 exceed one million dollars (\$1,000,000.00) for any related
17 series of violations.

18

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

5

6

(END)