



HB0200

Reliable and dispatchable low-carbon energy standards.

Sponsored By: Representative(s) Zwonitzer, Burkhart, Clausen, Crank, Eyre, Kirkbride, Miller and Newsome and Senator(s) Anselmi-Dalton, Baldwin, Boner, Dockstader, Driskill and Von Flatern

AN ACT relating to public utilities; requiring the public service commission to establish electricity generation portfolio standards for public utilities; limiting the recovery of costs for the retirement of coal fired electric generation facilities; authorizing the public service commission to grant reasonable rate recovery for public utilities as specified; authorizing a surcharge; requiring reports; making conforming amendments; and providing for an effective date.

2/11/2020 Bill Number Assigned
2/12/2020 H Received for Introduction
2/13/2020 H Introduced and Referred to H03 - Revenue 50-10-0-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Eklund, Eyre, Flitner, Freeman, Furphy, Greear, Haley, Hallinan, Harshman, Henderson, Hunt, Kinner, Kirkbride, Larsen Lloyd, Laursen Dan, Lindholm, Loucks, Macguire, Miller, Newsome, Nicholas, Northrup, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Simpson, Sommers, Stith, Sweeney, Walters, Washut, Western, Wilson, Zwonitzer

Nays: Representative(s) Edwards, Gray, Jennings, Roscoe, Salazar, Schwartz, Styvar, Tass, Winter, Yin

Ayes 50 **Nays** 10 **Excused** 0 **Absent** 0 **Conflicts** 0

2/24/2020 H03 - Revenue:Recommend Amend and Do Pass 7-2-0-0-0

ROLL CALL

Ayes: Representative(s) Blackburn, Dayton, Hallinan, Laursen, Sweeney, Western, Zwonitzer

Nays: Representative(s) Connolly, Roscoe

Ayes 7 **Nays** 2 **Excused** 0 **Absent** 0 **Conflicts** 0

2/24/2020 H Placed on General File

HB0200HS001/ADOPTED

Page 1-line 7 After "specified;" insert "authorizing a surcharge; requiring reports;".

Page 3-line 14 After "It" insert "is essential to the well-being of Wyoming electric customers that Wyoming electric utilities maintain access to reliable and cost effective electric generation resources and it".

Page 4-line 22 After "atmosphere" insert "whether constructed integral or adjacent to a coal fired generation facility".

Page 5-line 20 Delete "The" and insert "Consistent with the objective of ensuring Wyoming electric utilities maintain access

to reliable and cost effective electric generation resources, the".

Page 6-line 9 After "electricity" insert "taking into consideration any potentially expiring federal tax credits".

Page 6-line 21 After "subsection" delete "." and insert ";".

Page 6-after line 21 Insert:

"(v) Shall for each public utility:

(A) Establish baseline standards for electric reliability to ensure that new or expanded intermittent generation resources do not unreasonably diminish power quality or increase momentary outages across a utility's service territory or in any particular location;

(B) Require the utility to monitor and report electric reliability and power quality outcomes in integrated resource plan submissions or as otherwise directed by the commission; and

(C) Require the utility to take any steps the commission deems reasonably necessary to maintain reasonable levels of electric reliability and power quality.".

Page 7-line 20 Delete "may take" and insert "shall consider".

Page 7-line 21 Delete "into account any of".

Page 8-line 10 After "provided that" delete balance of line and insert "the carbon capture, utilization and storage technology is integral or adjacent to a coal fired generation facility in Wyoming;".

Page 8-lines 11 and 12 Delete entirely.

Page 8-line 19 After "utility" delete "." and insert ";".

Page 8-after line 19 Insert:

"(iii) To the extent a public utility can demonstrate that it will incur incremental costs to comply with the reliable and dispatchable low-carbon energy standard, the commission shall authorize the public utility to implement a rate recovery mechanism that collects a surcharge from customers not to exceed two percent (2%) of each customer's total electric bill to provide for the recovery of the prudently incurred incremental costs to comply with the reliable and dispatchable low-carbon energy standard. A rate recovery mechanism may be authorized and established prior to the public utility incurring incremental costs to comply with the reliable and dispatchable low-carbon energy standard and the public utility may retain funds collected through a mechanism in a regulatory account approved by the commission to offset future costs. To the extent the rate recovery mechanism is insufficient to compensate the public utility for its prudently incurred incremental costs to comply with the reliable and dispatchable low-carbon energy standard, the commission shall take such actions as necessary notwithstanding any other provision of this section to ensure the public utility is able to recover its prudently incurred incremental

costs and customers are not charged for those incremental costs other than through the rate recovery mechanism."

Page 9-line 2 After "this section" insert "and achieving reasonable electric reliability and power quality outcomes as required by subsection (a) of this section".

Page 9-after line 2 Insert:

"(e) Beginning in 2023, and occurring every second year thereafter, the commission shall report to the legislature regarding whether implementation of the electricity portfolio standards is meeting the legislative declaration and findings and recommend whether it should be continued, modified or repealed. To the extent the electricity portfolio standards is modified or discontinued, nothing shall impair the ability of a public utility that has incurred costs to comply with the electricity portfolio standard to recover its prudently incurred costs as authorized by the commission."

Page 9-line 17 After "any" insert "public utility owned or operated by a municipality or any".
CONNOLLY, VICE-CHAIRMAN

2/25/2020 H COW:Passed

HB0200H2001/FAILED

Page 8-after line 19 Delete the House standing committee amendment (HB0200HS001/A) to this line and insert:

"(iii) To the extent a public utility can demonstrate that it will incur incremental costs to comply with the reliable and dispatchable low-carbon energy standard, the commission shall authorize the public utility to implement a rate recovery mechanism that collects a surcharge from customers not to exceed two percent (2%) of each customer's total electric bill to provide for the recovery of the prudently incurred incremental costs to comply with the reliable and dispatchable low-carbon energy standard. A rate recovery mechanism may be authorized and established prior to the public utility incurring incremental costs to comply with the reliable and dispatchable low-carbon energy standard and the public utility may retain funds collected through a mechanism in a regulatory account approved by the commission to offset future costs."
CONNOLLY, ROSCOE

HB0200H2002/FAILED

Page 5-line 12 After "year" insert "or electricity produced by hydroelectric or nuclear generation". YIN

2/26/2020 H 2nd Reading:Passed

2/27/2020 H 3rd Reading:Laid Back

HB0200H3001/FAILED

Page 5-line 7 Delete "that is".

Page 5-line 8 Delete entirely.

Page 5-line 9 Delete "storage technology". YIN

2/28/2020 H 3rd Reading:Passed 39-19-2-0-0

"(iii) "Eligible generating resource" means electricity produced from one (1) or more of the following sources or systems:

- (A) Biogenic natural gas;
- (B) Coal;
- (C) Hydroelectric;
- (D) A net metering system as defined by W.S. 37-16-101(a)(viii);
- (E) Nuclear;
- (F) Thermogenic natural gas."

Page 5-line 11 Delete "(iii)" and insert "(iv)".

Page 5-line 12 After "generated" delete balance of line.

Page 5-line 13 Delete "storage technology" and insert "from an eligible generating resource".

Page 5-line 18 Delete "(iv)" and insert "(v)".

Page 6-line 10 After "generated" insert "and distributed in Wyoming".

Page 6-line 14 After "generated" insert "and distributed in Wyoming".

Page 6-line 21 After "generate" insert "and distribute in Wyoming".
HICKS

HB0200S3003/WITHDRAWN

3/10/2020 S 3rd Reading:Passed 17-10-2-0-1

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Boner, Coe, Dockstader, Driskill, Gierau, Kinskey, Kost, Landen, Moniz, Nethercott, Perkins, Schuler, Scott, Von Flatern, Wasserburger

Nays: Senator(s) Anselmi-Dalton, Biteman, Bouchard, Case, Hicks, Hutchings, James, Pappas, Rothfuss, Steinmetz

Excused: Senator(s) Agar, Bebout

Conflicts: Senator Ellis

Ayes 17 **Nays** 10 **Excused** 2 **Absent** 0 **Conflicts** 1

3/11/2020 H Received for Concurrence

3/11/2020 H Concur:Passed 41-18-1-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clifford, Crank, Dayton-Selman, Duncan, Eklund, Eyre, Freeman, Furphy, Greear, Haley, Hallinan, Harshman, Kinner, Kirkbride, Larsen Lloyd, Loucks, Macguire, Newsome, Nicholas, Northrup, Obermueller, Paxton, Pelkey, Pownall, Roscoe, Schwartz, Simpson, Stith, Sweeney, Walters, Washut, Western, Wilson, Zwonitzer

Nays: Representative(s) Clem, Connolly, Edwards, Flitner, Gray, Hunt, Jennings, Laursen Dan, Lindholm, Miller, Olsen, Piiparinen, Salazar, Sommers, Styvar, Tass, Winter, Yin

Excused: Representative Henderson

Ayes 41 **Nays** 18 **Excused** 1 **Absent** 0 **Conflicts** 0

3/11/2020 Assigned Number HEA No. 0079
3/12/2020 H Speaker Signed HEA No. 0079
3/12/2020 S President Signed HEA No. 0079
3/24/2020 Governor Signed HEA No. 0079
3/24/2020 Assigned Chapter Number 144

Chapter No. 144 Session Laws of Wyoming 2020