

## HOUSE BILL NO. HB0257

Coal fired power plant closure moratorium.

Sponsored by: Representative(s) Fortner, Baker, Bear, Burt, Gray, Hallinan, Haroldson, Jennings, Knapp, Laursen, Neiman, Ottman, Rodriguez-Williams, Styvar, Wharff and Winter and Senator(s) Driskill, McKeown and Steinmetz

## A BILL

for

1 AN ACT relating to public utilities; enacting a moratorium  
2 on the retirement of coal fired electric generation  
3 facilities; amending limitations on retiring facilities;  
4 repealing an applicability provision; and providing for an  
5 effective date.

6

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

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9       **Section 1.** W.S. 37-3-117(a) by creating a new  
10 paragraph (i) and by amending and renumbering (i) and (ii)  
11 as (ii) and (iii) as amended by 2020 Wyoming Session Laws,  
12 Chapter 41, Section 1 and as effective July 1, 2021 is  
13 amended to read:

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1           37-3-117. Moratorium on closure of coal fired  
2 electric generation facilities; limitation for recovery of  
3 costs associated with electric generation built to replace  
4 retiring coal fired generation facility.

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6           (a) Notwithstanding any other provision of this  
7 chapter:

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9                   (i) No electric public utility shall seek to  
10 retire a coal fired electric generating facility during the  
11 period beginning July 1, 2021 and ending June 30, 2035;

12  
13                   ~~(i)~~(ii) Any electric public utility seeking to  
14 retire a coal fired electric generation facility on or  
15 after July 1, 2035 shall first make a good faith effort to  
16 sell the facility for continued use as a coal fired  
17 electric generation facility;

18  
19                   ~~(ii)~~(iii) The rates charged by an electric  
20 public utility, other than a cooperative electric utility,  
21 shall not include any recovery of or earnings on the  
22 capital costs associated with new electric generation  
23 facilities built, in whole or in part, to replace the

1 electricity generated from one (1) or more coal fired  
2 electric generating facilities located in Wyoming and  
3 retired on or after January 1, ~~2022~~2036, unless the  
4 commission has determined that the public utility that  
5 owned the retired coal fired electric generation facility  
6 made a good faith effort to sell the facility to another  
7 person prior to its retirement and that the public utility  
8 did not refuse a reasonable offer to purchase the facility  
9 or the commission determines that, if a reasonable offer  
10 was received, the sale was not completed for a reason  
11 beyond the reasonable control of the public utility.

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13       **Section 2.** 2020 Wyoming Session Laws, Chapter 41,  
14 Section 2 is repealed.

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16       **Section 3.** This act is effective July 1, 2021.

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(END)