

Bill No.: HB0166 **Effective:** **Multiple Dates**

LSO No.: **21LSO-0563**

Enrolled Act No.: HEA No. 0088

Chapter No.: 154

Prime Sponsor: Harshman

Catch Title: **Utilities-presumption against facility retirements.**

Subject: Electricity reliability considerations and presumptions.

Summary/Major Elements:

- This act requires the Public Service Commission to, before authorizing or approving the retirement of an electric generation facility, consider the effect on available reliable, dispatchable electricity to Wyoming customers and the impact that any shortage of available energy nationwide may have on Wyoming customers.
- The act establishes a rebuttable presumption against the retirement of an electric generation facility—defined as one that uses coal or natural gas as its fuel.
- The Public Service Commission shall not approve the retirement of an electric generation facility unless the public utility seeking its retirement provides evidence to rebut the presumption to establish that: (1) costs savings will result to customers; (2) the retirement will not result in an insufficient amount of reliable and dispatchable capacity to serve Wyoming customers; and (3) the retirement will not adversely impact the dispatchability or reliability of electric service to the public utility's customers.
- A public utility that completes a retirement of an electric generation facility without rebutting the presumption is subject to limitations on rate recovery for any replacement facility built to replace the coal-fired or gas-fired electric generation facility that is retired.
- The act does not apply to electric generation facilities closed as required by federal law or closed because of federal environmental requirements to where the facility is no longer cost effective to operate.
- The act requires the Public Service Commission to promulgate rules to implement the act; the rulemaking authority is effective immediately.

The above summary is not an official publication of the Wyoming Legislature and is not an official statement of legislative intent. While the Legislative Service Office endeavored to provide accurate information in this summary, it should not be relied upon as a comprehensive abstract of the bill.