

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO.

Low carbon energy rate recovery.

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

A BILL

for

1 AN ACT relating to public utilities; repealing a provision  
2 authorizing a rate recovery mechanism to provide for the  
3 recovery of incremental costs to comply with the reliable  
4 and dispatchable low-carbon energy standard; specifying  
5 applicability; and providing for an effective date.

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

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9 **Section 1.** W.S. 37-18-102(c)(iii) is repealed.

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**STAFF COMMENT**

1 The language of the repealed paragraph is included below  
2 for Committee discussion:

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

7 (c) Subject to W.S. 37-3-117(a) and the limitation in  
8 subsection (b) of this section, the commission shall  
9 consider the following when establishing reasonable rates  
10 for a public utility working toward and achieving the  
11 electricity generation standards established under  
12 subsection (a) of this section:

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~~(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.~~

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A section on applicability is included below. The Committee may wish to specify alternative treatment of rate recovery that was approved prior to the effective date of this act.

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2           **Section 2.** The provisions of this act shall not  
3 affect any rate adjustments or orders of the public service  
4 commission made in accordance with W.S. 37-18-102(c)(iii)  
5 prior to the effective date of this act.

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

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(END)