

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

Extremely large electrical loads.

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

A BILL

for

1 AN ACT relating to public utilities; providing for service
2 of extremely large electrical loads pursuant to contracts
3 as specified; providing for review of large load service
4 contracts by the public service commission; providing
5 rulemaking authority; specifying applicability; and
6 providing for effective dates.

7

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

9

10 **Section 1.** W.S. 37-3-120 is created to read:

11

12 **37-3-120. Extremely large electrical loads.**

1

2 (a) As used in this section:

3

4 (i) "Extremely large electrical load" or "large
5 electrical load" means a new electric load that is seventy-
6 five (75) megawatts or more;

7

8 (ii) "Large load customer" means an electric
9 utility customer or potential electric utility customer
10 that is requesting electric service for an extremely large
11 electrical load;

12

13 (iii) "Large load facilities" means any new
14 facilities reasonably necessary to provide safe and
15 reliable electric service for an extremely large electrical
16 load;

17

18 (iv) "Large load construction contract" means a
19 contract between an electric utility, or an affiliate of
20 the utility, and a large load customer for the construction
21 of large load facilities;

22

1 (v) "Large load incremental costs" means all
2 costs reasonably necessary to design, site, engineer,
3 construct, furnish and place large load facilities into
4 service;

5

6 (vi) "Large load maintenance costs" means the
7 costs to maintain and operate large load facilities after
8 they are constructed and placed into service;

9

10 (vii) "Large load service contract" means a
11 contract between an electric utility and a large load
12 customer for the provision of electric service for an
13 extremely large electrical load.

14

15 (b) This section shall govern the procedures for an
16 electric utility and the commission to address requests for
17 electric service of an extremely large electrical load. Any
18 request for service of an extremely large electrical load
19 shall comply with the requirements of this section and
20 shall not be governed by other provisions of this title or
21 other rules or regulations of the commission, excluding
22 those implemented pursuant to this section.

23

1 (c) Initiation of electric service for an extremely
2 large electrical load shall only be provided pursuant to
3 the terms of a large load service contract and a large load
4 construction contract under this section. Service to a
5 large load customer shall only be provided if the large
6 load service contract is approved by the commission
7 pursuant to subsection (j) of this section.

8

9 (d) An electric utility or an affiliate of the
10 utility shall commence the design and construction of large
11 load facilities only after a large load construction
12 contract has been executed under this subsection. Each
13 large load construction contract shall be negotiated on a
14 case-by-case basis between the electric utility or its
15 affiliates and the large load customer. Not later than
16 fifteen (15) days after a large load construction contract
17 has been fully executed, the electric utility shall provide
18 notice of that contract to the commission for
19 acknowledgment by the commission.

20

21 (e) Electric service for an extremely large
22 electrical load shall be provided pursuant to a large load
23 service contract. The terms of electric service for a large

1 load customer shall be set forth in the large load service
2 contract. Each large load service contract shall be
3 negotiated on a case-by-case basis between the electric
4 utility and the large load customer. Unless otherwise
5 specified by order of the commission, the large load
6 service contract shall provide service at the rates, terms
7 and conditions of the utility's appropriate tariff schedule
8 based on the load of the large load customer. Before
9 electric service is provided to the large load customer,
10 the commission shall review and approve the large load
11 service contract as provided in subsection (h) of this
12 section. If the large load facilities that will be used to
13 provide service to the large load customer have been
14 constructed and are owned by an affiliate of the electric
15 utility, the affiliate shall make the large load facilities
16 available for the electric utility to use in providing
17 service to the large load customer on terms agreed to
18 between the electric utility and its affiliate. However, in
19 no case shall the terms of the agreement between the
20 electric utility and its affiliate impose any large load
21 incremental costs on customers other than the large load
22 customer.

23

1 *****
 2 *****
 3 STAFF COMMENT
 4 The highlighted language above appears to indicate that the
 5 public service commission could approve a different rate if
 6 requested as part of the contract. However, subsection (k)
 7 below limits the commission review to only the provisions
 8 of paragraphs (j) (i) and (ii), which does not specifically
 9 include a review of the rates. These provisions likely need
 10 to be conformed to make clear whether the commission can
 11 review the rates.
 12 *****
 13 *****
 14

15 (f) The large load customer shall be responsible for
 16 all large load incremental costs according to the terms of
 17 the large load construction contract. Associated impacts of
 18 state and federal income taxes and any grants or tax
 19 credits obtained by the electric utility or an affiliate
 20 associated with the large load facilities shall not be
 21 included in the electric utility's ratemaking for other
 22 customers. Other utility customers shall not be required to
 23 fund any portion of large load incremental costs.

24
 25 (g) After large load facilities have been constructed
 26 and placed into service, large load maintenance costs shall
 27 be included in the electric utility's overall cost of
 28 service in a general rate case or other appropriate rate
 29 proceeding.

1

2 (h) The commission shall establish rules necessary to
3 implement this section including rules for expediting the
4 review of applications filed under this section for large
5 load service contracts, including the approval or
6 disapproval of applications within forty-five (45) days of
7 the filing of the application, consistent with this
8 section.

9

10 (j) An electric utility shall file an application
11 with the commission for approval of a large load service
12 contract. The commission shall only approve a large load
13 service contract if, after notice and a hearing, the
14 commission determines that:

15

16 (i) Initiation of service to the large load
17 customer under the large load construction contract will
18 not result in other customers having to pay or otherwise
19 fund any portion of the large load incremental costs;

20

21 (ii) Initiation of service to the large load
22 customer under the large load construction contract or the

1 large load service contract will not do any of the
2 following:

3

4 (A) Jeopardize the reliability of the
5 utility's power system;

6

7 (B) Prevent the utility from being able to
8 provide safe and reliable service to existing customers;

9

10 (C) Increase rates for existing customers
11 through the addition of the large load facilities except to
12 the extent specifically authorized under this section.

13

14 (k) Commission review of a large load service
15 contract under subsection (j) of this section shall be
16 limited to a review of the issues provided in paragraphs
17 (j)(i) and (ii) of this section. Other terms of the large
18 load service contract and the terms of the large load
19 construction contract shall not be subject to commission
20 approval. If the commission has determined that the
21 requirements of paragraphs (j)(i) and (ii) of this section
22 are satisfied, the commission shall approve the large load
23 service contract.

1

2 (m) An application under subsection (j) of this
3 section shall provide the commission with at least the
4 following information:

5

6 (i) A copy of the large load service contract;
7 and

8

9 (ii) Evidence sufficient to demonstrate that the
10 requirements of paragraphs (j)(i) and (ii) of this section
11 are satisfied.

12

13 **Section 2.** W.S. 37-3-102 is amended to read:

14

15 **37-3-102. Only prescribed rates to be charged.**

16

17 Subject to a contract approved under W.S. 37-3-120 for an
18 extremely large electrical load, no public utility shall
19 directly or indirectly, by any device whatsoever, or in
20 anywise, charge, demand, collect or receive from any person
21 a greater or less or different compensation for any service
22 rendered or to be rendered by such public utility than that
23 prescribed in the schedules of such public utility then

1 filed and published in the manner provided in this act, nor
2 shall any person receive or accept any service from a
3 public utility for a compensation greater, less or in any
4 way different from that prescribed in such schedules.

5

6 **Section 3.** The provisions of W.S. 37-3-120 as created
7 by this act shall apply to new requests for initial service
8 for an extremely large electrical load as defined in W.S.
9 37-3-120(a)(i) that are made on or after July 1, 2025.

10

11 **Section 4.** The public service commission shall adopt
12 rules necessary to implement W.S. 37-3-120 not later than
13 July 1, 2025.

14

15 **Section 5.**

16

17 (a) Except as provided in subsection (b) of this
18 section, this act is effective immediately upon completion
19 of all acts necessary for a bill to become law as provided
20 by Article 4, Section 8 of the Wyoming Constitution.

21

22 (b) Sections 1 and 2 of this act are effective July
23 1, 2025.

1

2

(END)