

Tempert - 2

92 LSO - 0566

HOUSE BILL

HB0246

AN ACT relating to natural gas public utilities; requiring natural gas utilities to file unbundled rates, terms and conditions with the commission; requiring natural gas utilities to provide retail customers opportunity to select supplier; providing for recovery of specified costs; specifying conditions for competition; requiring implementation and adoption of rules by the public service commission; and providing for an effective date.

HOUSE BILL 0246

Rick Tempert

Introduced by:

HOUSE ACTION ON HOUSE BILL

1/29 ☒ Introduced
Aye ___ No ___ Ex ___ Ab ___
☒ Read First Time and Ref. to
Committee No. 7
☐ Failed Introduction
Aye ___ No ___ Ex ___ Ab ___
Returned from Committee No. ___
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
Re-referred to Committee No. ___
Returned from Committee No. ___
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
Considered in Comm. of Whole
☐ Amended
☐ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other: ___
Read Second Time
☐ Amended
☐ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.
Read Third Time
☐ Amended
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
☐ Held for Reconsideration
Motion to Reconsider
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
Third Reading Vote
(On Reconsideration)
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
Sent to Senate (No Amendments)
Sent to LSO for Engrossing
ENGROSSED
Sent to Senate

SENATE ACTION ON HOUSE BILL

Received. Read First Time.
Referred to Committee No. ___
Returned from Committee No. ___
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
Re-referred to Committee No. ___
Returned from Committee No. ___
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
Considered in Comm. of Whole
☐ Amended
☐ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other: ___
Read Second Time
☐ Amended
☐ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.
Read Third Time
☐ Amended
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
☐ Held for Reconsideration
Motion to Reconsider
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
Third Reading Vote
(On Reconsideration)
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
Sent to House

Sent for Enrolling
HEA No. ___
Signed by Speaker
Signed by President
Approved by Governor
Chapter No. ___

INTRODUCED

HOUSE BILL NO. HB0246

Natural gas-retail competition-2.

Sponsored by: Representative(s) Tempest

A BILL

for

1 AN ACT relating to natural gas public utilities; requiring
2 natural gas utilities to file unbundled rates, terms and
3 conditions with the commission; requiring natural gas
4 utilities to provide retail customers opportunity to select
5 supplier; providing for recovery of specified costs;
6 specifying conditions for competition; requiring
7 implementation and adoption of rules by the public service
8 commission; and providing for an effective date.

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

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12 **Section 1.** W.S. 37-2-121 is amended to read:

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14 **37-2-121. When rate to be changed by commission;**
15 **nontraditional rate making.**

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17 (a) If upon hearing and investigation, any rate shall
18 be found by the commission to be inadequate or

1 unremunerative, or to be unjust, or unreasonable, or
2 unjustly discriminatory, or unduly preferential or otherwise
3 in any respect in violation of any provision of this act,
4 the commission may fix and order substituted therefor such
5 rate as it shall determine to be just and reasonable and in
6 compliance with the provisions of this act. Such rate so
7 ascertained, determined and fixed by the commission shall be
8 charged, enforced, collected and observed by the public
9 utility for the period of time fixed by the commission. The
10 rates may contain provisions for incentives for improvement
11 of the public utility's performance or efficiency, lowering
12 of operating costs, control of expenses or improvement and
13 upgrading or modernization of its services or facilities.
14 Any public utility may apply to the commission for its
15 consent to use innovative, incentive or nontraditional rate
16 making methods. In conducting any investigation and holding
17 any hearing in response thereto, the commission may consider
18 and approve proposals which include any rate, service
19 regulation, rate setting concept, economic development rate,
20 service concept, nondiscriminatory revenue sharing or
21 profit-sharing form of regulation and policy, including
22 policies for the encouragement of the development of public
23 utility infrastructure, services, facilities or plant within
24 the state, which can be shown by substantial evidence to
25 support and be consistent with the public interest.

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(b) For purposes of implementing gas supply commodity competition in retail natural gas markets, the commission shall, on or prior to July 1, 1998:

(i) Require every natural gas public utility as defined by W.S. 37-1-101(a)(vi)(D) to file unbundled rates, terms and conditions for gas utility distribution service which allow retail customers, including residential customers, the opportunity to select among competing natural gas commodity suppliers;

(ii) Provide for recovery by natural gas public utilities of all prudently incurred transition costs, including gas supply realignment and stranded costs;

(iii) Require that a natural gas public utility have unbundled tariff provisions in effect for its own service territory pursuant to this subsection before it, or any of its affiliated companies, may compete for natural gas supply commodity sales within the service territory of other natural gas public utilities;

(iv) Promulgate rules necessary to implement this subsection.

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2 **Section 2.** This act is effective immediately upon
3 completion of all acts necessary for a bill to become law as
4 provided by Article 4, Section 8 of the Wyoming
5 Constitution.

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7

(END)

FISCAL NOTE

The fiscal or personnel impact is not determinable due to insufficient time to complete the fiscal note process.

HB 246