

## HOUSE BILL NO. HB0098

Public service commission-nontraditional rate making.

Sponsored by: Representative(s) Cohee

A BILL

for

1 AN ACT relating to the public service commission; providing  
2 a time limitation for nontraditional rate making as  
3 specified; amending obsolete language; and providing for an  
4 effective date.

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

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

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10 **37-2-121. When rate to be changed by commission;**  
11 **nontraditional rate making.**

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13 If upon hearing and investigation, any rate shall be found  
14 by the commission to be inadequate or unremunerative, or to  
15 be unjust, or unreasonable, or unjustly discriminatory, or  
16 unduly preferential or otherwise in any respect in  
17 violation of any provision of this act, the commission may

1 fix and order substituted therefor ~~such a~~ rate as it shall  
2 determine to be just and reasonable for the time periods  
3 provided under W.S. 37-3-106(c) and in compliance with the  
4 provisions of this act. ~~Such~~The rate so ascertained,  
5 determined and fixed by the commission shall be charged,  
6 enforced, collected and observed by the public utility for  
7 the period of time fixed by the commission. The rates may  
8 contain provisions for incentives for improvement of the  
9 public utility's performance or efficiency, lowering of  
10 operating costs, control of expenses or improvement and  
11 upgrading or modernization of its services or facilities.  
12 Any public utility may apply to the commission for its  
13 consent to use innovative, incentive or nontraditional rate  
14 making methods. In conducting any investigation and  
15 holding any hearing in response thereto, the commission may  
16 consider and approve proposals which include any rate,  
17 service regulation, rate setting concept, economic  
18 development rate, service concept, nondiscriminatory  
19 revenue sharing or profit-sharing form of regulation and  
20 policy, including policies for the encouragement of the  
21 development of public utility infrastructure, services,  
22 facilities or plant within the state, which can be shown by  
23 substantial evidence to support and be consistent with the  
24 public interest.

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**Section 2.** This act is effective July 1, 2005.

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(END)