



SF0021

Coal fired electric generation facilities.

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

AN ACT relating to public utilities; amending authority of the public service commission as specified; providing authority to purchasers of retiring coal fired power plants as specified; amending limitations on retiring facilities; specifying applicability; and providing for an effective date.

12/17/2019 Bill Number Assigned  
2/7/2020 S Received for Introduction  
2/10/2020 S Introduced and Referred to S07 - Corporations 28-0-2-0-0

ROLL CALL

**Ayes:** Senator(s) Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern

**Excused:** Senator(s) Agar, Wasserburger

**Ayes** 28    **Nays** 0    **Excused** 2    **Absent** 0    **Conflicts** 0

2/14/2020 S07 - Corporations:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

**Ayes:** Senator(s) Case, Landen, Nethercott, Schuler, Scott

**Ayes** 5    **Nays** 0    **Excused** 0    **Absent** 0    **Conflicts** 0

2/14/2020 S Placed on General File

SF0021SS001/ADOPTED

Page 2-lines 10 through 19 Delete entirely and insert:

"(f) A person purchasing an otherwise retiring coal fired electric generation facility may sell electricity generated by the facility to the electric public utility selling the otherwise retiring coal fired electric generation facility, except for a cooperative or municipal public utility, for the benefit of a retail customer located in the existing service territory of that electric public utility provided that the customer has more than one (1) megawatt average demand and takes service at a primary or transmission voltage level.

(g) If an electric utility purchases electricity from the owner of an otherwise retiring coal fired electric generation facility for the benefit of an eligible retail customer, the utility serving that eligible retail customer shall purchase the electricity at a cost and under terms and conditions that are acceptable to and negotiated between the customer and the owner of the otherwise retiring coal fired electric generation facility. The electric public utility shall pass that cost through to the customer without markup or modification except:

(i) For the collection of applicable taxes and the appropriate uniform assessment, which shall be collected pursuant to W.S. 37-2-106 through 37-2-109;

(ii) The customer shall only receive electricity as provided in this section from the owner of an otherwise retiring coal fired electric generation facility if the customer also purchases partial requirements or equivalent service from the electric public utility under rates, terms and conditions set by the commission to compensate the public utility for its costs;

(iii) To ensure other Wyoming customers are not negatively impacted by the arrangement provided for in this section, the commission shall also authorize the utility to impose additional charges on participating retail customers to the extent the commission determines that a sale of electricity under this section will result in the utility experiencing incremental stranded generation capacity costs or other incremental costs except for the cost of any undepreciated investments associated with the otherwise retiring coal fired electric generation facility.". LANDEN, CHAIRMAN

2/18/2020 S COW:Passed  
2/19/2020 S 2nd Reading:Passed  
2/20/2020 S 3rd Reading:Laid Back

**SF0021S3001/ADOPTED (CORRECTED COPY)**

Page 1-line 11 After "(f)" delete "and" and insert ", "; after "(g)" insert "and (h)".

Page 2-lines 10 through 19 In the Senate standing committee amendment (SF0021SS001/A) to these lines, delete paragraph (g)(ii) created by that amendment; in paragraph (g)(iii) created by that amendment, delete "(iii)" and insert "(ii)"; in paragraph (g)(iii) created by that amendment, after "provided for in this" insert "subsection and subsection (f) of this"; after "under this" insert "subsection and subsection (f) of this".

Page 2-before line 21 Insert:

"(h) An eligible retail customer under subsection (g) of this section shall only receive electricity as provided in subsection (g) of this section from the owner of an otherwise retiring coal fired electric generation facility if the customer also purchases partial requirements or equivalent service from the electric public utility under rates, terms and conditions set by the commission to compensate the public utility for its costs.". LANDEN, DOCKSTADER, SCOTT

2/21/2020 S 3rd Reading:Passed 29-0-0-0-1

**ROLL CALL**

**Ayes:** Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

**Conflicts:** Senator Ellis

**Ayes** 29    **Nays** 0    **Excused** 0    **Absent** 0    **Conflicts** 1

2/24/2020 H Received for Introduction  
2/24/2020 H Introduced and Referred to H07 - Corporations  
2/26/2020 H07 - Corporations:Recommend Do Pass 8-0-1-0-0

**ROLL CALL**

**Ayes:** Representative(s) Clausen, Clem, Clifford, Duncan, Edwards, Eyre, Furphy, Lindholm

**Excused:** Representative Blackburn

**Ayes** 8    **Nays** 0    **Excused** 1    **Absent** 0    **Conflicts** 0

2/26/2020    H Placed on General File  
3/3/2020    H COW:Passed  
3/4/2020    H 2nd Reading:Passed  
3/5/2020    H 3rd Reading:Passed 54-6-0-0-0

#### **ROLL CALL**

**Ayes:** Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Clausen, Clem, Crank, Dayton-Selman, Duncan, Edwards, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Greear, Haley, Hallinan, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen Lloyd, Laursen Dan, Lindholm, Loucks, Macguire, Miller, Newsome, Nicholas, Northrup, Obermueller, Olsen, Paxton, Piiparinen, Pownall, Roscoe, Salazar, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Zwonitzer

**Nays:** Representative(s) Burlingame, Clifford, Connolly, Pelkey, Schwartz, Yin

**Ayes** 54    **Nays** 6    **Excused** 0    **Absent** 0    **Conflicts** 0

3/5/2020    Assigned Number SEA No. 0023  
3/5/2020    S President Signed SEA No. 0023  
3/6/2020    H Speaker Signed SEA No. 0023  
3/10/2020    Governor Signed SEA No. 0023  
3/10/2020    Assigned Chapter Number 41

Chapter No. 41    Session Laws of Wyoming 2020