

SENATE FILE NO. SF0105

Utilities-point of consumption and allocation agreements.

Sponsored by: Senator(s) Steinmetz, Biteman, Dockstader, Driskill, Gierau, Hicks, Kolb, McKeown and Salazar and Representative(s) Bear, Davis, Haroldson, Heiner, Neiman, Strock, Ward and Winter

A BILL

for

1 AN ACT relating to public utilities; requiring customer  
 2 allocation agreements for utility service to a customer in  
 3 the certificated territory of another utility; authorizing  
 4 a civil action and recovery for violations; requiring  
 5 rulemaking; 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. 37-2-205 by creating a new subsection  
 10 (k) is amended to read:

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12 **37-2-205. Certificate of convenience and necessity;**  
 13 **hearings.**

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1       (k) No public utility shall provide service directly  
2 or indirectly to a customer in another public utility's  
3 certificated service territory, including by providing  
4 service to a point of delivery outside of the other public  
5 utility's certificated territory for consumption within the  
6 other public utility's certificated territory, without a  
7 customer allocation agreement between the customer and both  
8 public utilities. Any violation of this subsection shall  
9 entitle the aggrieved public utility to recover in a civil  
10 action damages for lost income from the unlawful invasion  
11 of its certificated service territory, plus all attorney  
12 fees and expenses incurred by the aggrieved public utility  
13 that enforces its rights under this subsection in a civil  
14 action.

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16       **Section 2.** This act is effective July 1, 2023.

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(END)