

HB1246_L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Energy & Environment.

HB26-1246 be amended as follows:

1 Amend printed bill, page 3, strike lines 19 through 27 and substitute:

2 **"40-3.7-103. Separation requirements - limited interconnection**
3 **- compensation.**

4 (1) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, AN
5 OWNER OF A STRUCTURALLY SEPARATE ELECTRIC SYSTEM SHALL NOT:

6 (a) INTERCONNECT THE STRUCTURALLY SEPARATE ELECTRIC
7 SYSTEM WITH A PUBLIC UTILITY'S RETAIL DISTRIBUTION SYSTEM; OR

8 (b) UTILIZE PUBLIC UTILITY INFRASTRUCTURE IN A MANNER THAT
9 RESULTS IN COST ALLOCATION TO RETAIL RATEPAYERS.

10 (2) (a) AN OWNER OF A STRUCTURALLY SEPARATE ELECTRIC
11 SYSTEM MAY INTERCONNECT THE STRUCTURALLY SEPARATE ELECTRIC
12 SYSTEM WITH A PUBLIC UTILITY'S RETAIL DISTRIBUTION SYSTEM ONLY FOR:

13 (I) EMERGENCY BACKUP SERVICE;

14 (II) RELIABILITY SUPPORT; OR

15 (III) TRANSMISSION-LEVEL INTERCONNECTION AUTHORIZED
16 UNDER APPLICABLE LAW.

17 (b) FOR ANY INTERCONNECTION:

18 (I) ALL COSTS MUST BE BORNE BY THE LARGE-LOAD CUSTOMER OR
19 PROVIDER OF THE STRUCTURALLY SEPARATE CONSUMER-REGULATED
20 ELECTRIC SYSTEM;

21 (II) COSTS ARE NOT RECOVERABLE FROM RETAIL RATEPAYERS;

22 (III) THERE MUST BE NO RATE BASE TREATMENT; AND

23 (IV) TRANSMISSION, DISTRIBUTION, OR ANCILLARY SERVICE MUST
24 NOT BE UTILIZED WITHOUT FULL AND CONTEMPORANEOUS COMPENSATION
25 AT RATES ESTABLISHED UNDER APPLICABLE LAW.

26 (c) THE COMMISSION SHALL NOT REQUIRE A PUBLIC UTILITY TO
27 PROVIDE SERVICE TO A STRUCTURALLY SEPARATE ELECTRIC SYSTEM ON A
28 BASIS THAT RESULTS IN COST RECOVERY FROM RETAIL RATEPAYERS.

29 (3) A VIOLATION OF THIS SECTION VOIDS ANY EXEMPTION FROM
30 REGULATION OTHERWISE AVAILABLE UNDER THIS ARTICLE 3.7."

31 Page 4, strike lines 1 through 17.

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