

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 767

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Senators)” insert “and Senators Bromwell, Astle, Dorman, Exum, Hafer, Hooper, Kelley, Madden, Roesser, and Teitelbaum”; in line 15, after “Act;” insert “providing that the provisions of this Act do not apply to a certain applicant if a certain agreement on a contractual revision is approved or accepted for filing by the Public Service Commission by a certain time under certain circumstances;”.

AMENDMENT NO. 2

On page 1, in line 19 strike “7-501 through 7-509” and substitute “7-601 through 7-608”; and in the same line, strike “5.” and substitute “6.”; in line 26, strike “5.” and substitute “6.”; and in line 27, strike “7-501.” and substitute “7-601.”.

On page 2, in line 6, strike “AND” and substitute:

“(4) USES FACILITIES OWNED BY ITSELF TO GENERATE ELECTRICITY TO BE SUPPLIED TO ITSELF OR AN AFFILIATE OR SUBSIDIARY PURSUANT TO THE PROVISIONS OF THIS SUBTITLE; AND”;

in line 7, strike “(4)” and substitute “(5)”; in line 10, strike “TRANSPORT” and substitute “OBTAIN ACCESS TO”; in lines 11 and 12, strike “TRANSMISSION AND DISTRIBUTION SYSTEM ACCESS” and substitute “STATE JURISDICTIONAL SYSTEM FACILITIES”; in line 16, after “THROUGH” insert “STATE JURISDICTIONAL”; after line 17, insert:

“(E) “RETAIL ELECTRIC CUSTOMER” MEANS A CUSTOMER THAT, AS OF JULY 1, 1999:

(1) HAS REGISTERED A DEMAND OF AT LEAST 250 MEGAWATTS IN AT

(Over)

LEAST 1 HOUR DURING THE PRECEDING 12 MONTHS; AND

(2) DOES NOT HAVE ANY OPERATIONAL ON-SITE GENERATION CAPACITY.”;

in line 18, after “A” insert “STATE JURISDICTIONAL”; in lines 18 and 20, strike “(E)” and “(F)”, respectively, and substitute “(F)” and “(G)”, respectively; in line 21, strike “THIRD PARTY” and substitute “RETAIL ELECTRIC CUSTOMER”; in line 24, strike “7-502.” and substitute “7-602.”; and in line 27, strike “MODIFY AND CLARIFY EXISTING LAW TO”.

On page 3, in lines 1 and 24, strike “7-503.” and “7-504.”, respectively, and substitute “7-603.” and “7-604.”, respectively; in line 3, after “THAT” insert “STATE JURISDICTIONAL”; in line 5, after “COMPANY” insert “AND ONLY DURING THOSE PERIODS WHEN THE ELECTRIC COMPANY IS PURCHASING POWER TO SUPPLEMENT ITS EXISTING GENERATION DUE TO A SHORTAGE OF GENERATING CAPACITY DEDICATED TO SERVING REGULATED LOAD”; in line 26, strike “AND AS” and substitute “, AS PROVIDED IN A CONTRACT BETWEEN A RETAIL ELECTRIC CUSTOMER AND A WHEELING COMPANY, OR AS OTHERWISE”; in line 32, strike “LEAVE THE ELECTRIC COMPANY” and substitute “EXERCISE THE PROVISIONS OF THIS SUBTITLE”; and in line 35, strike “(1)”.

On page 4, strike beginning with “(2)” in line 3 down through “CUSTOMER.” in line 11; in lines 12 and 22, strike “7-505.” and “7-506.”, respectively, and substitute “7-605.” and “7-606.”, respectively; and in line 29, after “COMPANY’S” insert “STATE JURISDICTIONAL”.

On page 5, in line 16, strike “7-507.” and substitute “7-607.”; in line 6, after “OF” insert “STATE JURISDICTIONAL”; in line 13, after “COMPANY’S” insert “STATE JURISDICTIONAL”; in line 17, strike “(A)”; in lines 17 and 18, strike “LEAVE AN ELECTRIC COMPANY” and substitute “EXERCISE THE PROVISIONS OF THIS SUBTITLE”; and strike beginning with “(B)” in line 23 down through “APPLICANT.” in line 31.

On pages 5 and 6, strike in their entirety the lines beginning with line 32 on page 5 through line 8 on page 6 and substitute “7-608.”.

### AMENDMENT NO. 3

On page 6, after line 16, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the provisions of this Act do not apply to an applicant and the applicant’s affiliate or subsidiary that is a retail electric customer

described under Section 1 of this Act if a revised contract or agreement between the retail electric customer and an electric company allowing affiliate wheeling is approved or accepted for filing by the Public Service Commission on or before the effective date of this Act.”;

in line 17, strike “3.” and substitute “4.”; in line 18, strike “4 years and 3 months” and substitute “1 year and 6 months”; in line 19, strike “September 30, 2003” and substitute “December 31, 2000”.