

referee of the receiving court may accept the filings of the transferring court or may direct the filing of a new application and may hear the case anew.

Approved April 28, 1992

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## CHAPTER 1166

### ELECTRIC UTILITIES — REQUIRED PURCHASE OF POWER

*H.F. 2330*

**AN ACT** relating to the required purchase by electric utilities of megawatts of power.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 476.44, subsection 2, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

2. An electric utility subject to this division, except a utility which elects rate regulation pursuant to section 476.1A, shall not be required to purchase, at any one time, more than its share of one hundred five megawatts of power from alternative energy production facilities or small hydro facilities at the rates established pursuant to section 476.43. The board shall allocate the one hundred five megawatts based upon each utility's percentage of the total Iowa retail peak demand, for the year beginning January 1, 1990, of all utilities subject to this section. If a utility undergoes reorganization as defined in section 476.76, the board shall combine the allocated purchases of power for each utility involved in the reorganization.

Notwithstanding the one hundred five megawatt maximum, the board may increase the amount of power that a utility is required to purchase at the rates established pursuant to section 476.43 if the board finds that a utility, including a reorganized utility, exceeds its 1990 Iowa retail peak demand by twenty percent and the additional power the utility is required to purchase will encourage the development of alternate energy production facilities and small hydro facilities. The increase shall not exceed the utility's increase in peak demand multiplied by the ratio of the utility's share of the one hundred five megawatt maximum to its 1990 Iowa retail peak demand.

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