

476.45 Exemption from excess capacity.

Capacity of an alternate energy production facility or small hydro facility, that is owned or purchased by an electric utility, shall not be included in a calculation of an electric utility's excess generating capacity for ratemaking purposes.

[83 Acts, ch 182, §6](#); [2003 Acts, ch 29, §4, 6](#)

Referred to in [§476.1B](#)