

House File 2399

S-5218

1 Amend House File 2399, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 1, line 2, by striking <subsection> and  
4 inserting <subsections>

5 2. Page 1, line 18, by striking <five-tenths> and  
6 inserting <sixteen hundredths>

7 3. Page 2, before line 4 by inserting:

8 <NEW SUBSECTION. 23. A rate-regulated electric  
9 utility that was subject to a revenue sharing  
10 settlement agreement with regard to its electric base  
11 rates as of January 1, 2010, shall recover, through  
12 a rider and pursuant to a tariff filing made on or  
13 after the effective date of this Act and through  
14 December 31, 2013, the reasonable and prudent costs  
15 incurred in the construction and connection of solar  
16 electric generating systems or in the study of sites  
17 for and the planning and development of biomass or  
18 biomass cogeneration facilities. Cost recovery shall  
19 be accomplished by instituting a revenue increase  
20 applied in the same percentage amount to each customer  
21 class and not designed to recover, on an annual basis,  
22 more than sixteen hundredths percent of the electric  
23 utility's calendar year 2009 revenues attributable to  
24 billed base rates in this state. At the conclusion of  
25 the cost recovery period, the board shall conduct a  
26 contested case proceeding pursuant to chapter 17A to  
27 evaluate the reasonableness and prudence of the cost  
28 recovery. The utility shall file such information with  
29 the board as the board deems appropriate, including the  
30 filing of an annual report identifying and explaining  
31 expenditures identified in the rider as items for cost  
32 recovery, and any other information required by the  
33 board. If the board determines that the utility has  
34 imprudently incurred costs, or has incurred costs that  
35 are less than the amount recovered, the board shall  
36 order the utility to modify the rider to adjust the  
37 amount recoverable.

38 NEW SUBSECTION. 24. A rate-regulated utility that  
39 was subject to a revenue sharing settlement agreement  
40 with regard to its electric base rates as of January  
41 1, 2010, and which institutes a rate increase for  
42 cost recovery authorized pursuant to subsection 22,  
43 shall institute a revenue increase applied in the  
44 same percentage amount to each customer class and not  
45 designed to recover, on an annual basis, more than  
46 sixteen hundredths percent of the electric utility's  
47 calendar year 2009 revenues attributable to billed base  
48 rates in this state. The revenue increase shall be  
49 implemented for a three-year period, and the revenue  
50 derived therefrom shall be allocated by the utility

1 for purposes of providing rebates for energy-efficient  
2 appliances to that utility's customers. In conjunction  
3 with the office of energy independence, the utility  
4 shall make rebates available to its customers who  
5 applied for a rebate pursuant to a rebate program  
6 administered by the office. In the event that the  
7 applications for rebates exceed the amount allocated by  
8 the utility, the utility shall conduct a lottery among  
9 the utility's customers for rebate eligibility.>

10 4. Title page, line 1, after <Act> by inserting  
11 <relating to public utilities by>

12 5. Title page, line 6, after <facility,> by  
13 inserting <providing for cost-recovery for solar  
14 electric generating system construction and connection,  
15 providing for cost-recovery for biomass planning and  
16 development, providing for energy-efficient appliance  
17 rebates,>

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