Senate File 2311

S-5039

Amend Senate File 2311 as follows:

1. Page 16, by striking lines 4 through 20 and inserting:

<1. A ~~municipality, corporation or cooperative association~~ public utility providing electrical or gas service shall not consider the use of renewable energy sources by a customer as a basis for establishing discriminatory rates or charges for any service or commodity sold to the customer or discontinue services or subject the customer to any other prejudice or disadvantage based on the customer's use or intended use of renewable energy sources. As used in this section, "*renewable energy sources*" includes but is not limited to solar heating, wind power and the conversion of urban and agricultural organic wastes into methane gas and liquid fuels.

2. A gas or electric utility not subject to rate regulation by the board pursuant to section 476.1A or section 476.1B shall be presumed not to have established discriminatory rates or charges in violation of this section if the rates or charges are exclusively based on cost factors, including the time necessary for recovering the costs of service, load factors, time of use, quantity of use, and quantity of service.>

MICHAEL BREITBACH