

ARKANSAS SENATE
93rd General Assembly - Regular Session, 2021
Amendment Form

Subtitle of Senate Bill No. 489

TO AMEND THE FORMULA RATE REVIEW ACT; AND TO DECLARE AN EMERGENCY.

Amendment No. 1 to Senate Bill 489

Amend Senate Bill No. 489 as originally introduced:

Page 4, line 35, delete "under § 23-4-1207(d) and" and substitute "under § 23-4-1205(c)(3)(B), § 23-4-1207(d), and"

AND

Page 5, delete lines 1 through 12, and substitute the following:

"(2) For an electric utility whose class of customers with the highest level of consumption per customer that has rates that include a demand component, and any successors to such a class, as they existed on January 1, 2021, has an annual usage for the class as a whole in excess of seven million megawatt hours (7,000,000 MWh), and if the electric utility has a formula rate review approved and in effect under § 23-4-1208(a)(1) on or before March 15, 2021:

(A) The commission shall determine rates and charges for utility services in accord with § 23-4-422(b)(1) and (2) without regard to any findings described in § 23-4-422; and

(B) The commission shall not adjust the rates under subsection (e) or subsection (f) of this section, except as provided in § 23-4-1207(d) and § 23-4-1208(a)(2)(B) and (C)."

AND

Page 8, delete lines 29 through 34, and substitute the following:

"mechanism approved and in effect on or before March 15, 2021, a public utility may choose to apply either"

AND

Page 9, delete lines 7 through 11, and substitute the following:

"2021, that uses a test"

AND



Page 9, delete lines 16 through 20, and substitute the following:
"the public utility shall"

AND

Page 9, delete lines 26 through 31, and substitute the following:
"commences after January 1, 2021, the public utility shall follow subdivision (e)(4)(B)(ii) of this"

AND

Page 10, line 11, delete "charges remain" and substitute "charges shall remain"

AND

Page 11, line 15, delete "§ 23-4-422 and" and substitute "§ 23-4-422(b)(2) and § 23-4-422(d)(2) and"

AND

Page 11, line 34, delete "five-year"

AND

Page 12, delete lines 4 through 7, and substitute the following:
"MWh):

(a) An electric utility may request, and the commission shall approve, an extension of the term of the formula rate review mechanism by a period of five (5) years beyond the initial five-year term, provided the request is made on or before March 15, 2021; and

(b) Any requests for an extension of the initial term of a formula rate plan mechanism made after March 15, 2021, shall be subject to subdivision (a)(2)(A)(i) of this section.

(B) As part of any extension of the initial term of a"

AND

Page 12, line 15, delete "§ 23-4-422 using" and substitute "§ 23-4-422(b)(2) and § 23-4-422(d)(2) using"

AND

Page 12, line 20, delete "five-year"

AND

Page 13, delete line 34, and substitute the following:

"with a demand component, the public utility may establish and the commission shall approve a maximum level"

AND

Page 17, line 31, delete "during a five-year" and substitute "during an"

AND

Page 17, line 35, delete "of a five-year" and substitute "of an"

AND

Page 18, line 1, delete "five-year"

AND

Page 18, delete lines 3 and 4, and substitute the following:
"filed during or at the conclusion of the initial term or any extension of the term of a formula rate review mechanism that uses a"

AND

Page 18, line 19, delete "under § 23-4-1208" and substitute "under the Formula Rate Review Act, § 23-4-1201 et seq.,"

AND

Page 18, line 23, delete "under § 23-4-1208" and substitute "under the Formula Rate Review Act, § 23-4-1201 et seq.,"

The Amendment was read the first time, rules suspended and read the second time and _____
By: Senator B. Davis
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Secretary