

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 876

5 By: Senator Files
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For An Act To Be Entitled

8 AN ACT TO AMEND THE ARKANSAS CLEAN ENERGY DEVELOPMENT
9 ACT TO INCLUDE NATURAL GAS PUBLIC UTILITIES; TO ALLOW
10 BIOFUEL TO SATISFY THE PUBLIC UTILITY'S ENERGY
11 EFFICIENCY OR CONSERVATION GOALS; AND FOR OTHER
12 PURPOSES.
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Subtitle

15 TO AMEND THE ARKANSAS CLEAN ENERGY
16 DEVELOPMENT ACT TO INCLUDE NATURAL GAS
17 PUBLIC UTILITIES; TO ALLOW BIOFUEL TO
18 SATISFY THE PUBLIC UTILITY'S ENERGY
19 EFFICIENCY OR CONSERVATION GOALS.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 23-18-701 is amended to read as follows:
26 23-18-701. Legislative findings and declaration of purpose.

27 (a) The General Assembly finds that it is in the public interest to
28 require all electric and natural gas public utilities subject to the
29 jurisdiction of the Arkansas Public Service Commission to consider clean
30 energy and the use of renewable energy resources as part of any resource plan
31 or natural gas procurement plan.

32 (b) The purpose of this subchapter is to ensure that all electric and
33 natural gas public utilities subject to the jurisdiction of the Arkansas
34 Public Service Commission will consider clean energy and the use of renewable
35 resources as a part of any resource plan or natural gas procurement plan.
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1 SECTION 2. Arkansas Code § 23-18-702 is amended to read as follows:

2 23-18-702. ~~Electric public~~ Public utilities required to consider clean
3 energy resources.

4 All electric and natural gas public utilities subject to the
5 jurisdiction of the Arkansas Public Service Commission shall consider clean
6 energy and the use of renewable resources as part of any resource plan or
7 natural gas procurement plan.

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9 SECTION 3. Arkansas Code § 23-18-703 is amended to read as follows:

10 23-18-703. Authority of Arkansas Public Service Commission.

11 (a)(1) The Arkansas Public Service Commission may consider, propose,
12 develop, solicit, approve, implement, and monitor measures by electric and
13 natural gas public utilities subject to its jurisdiction that cause the
14 electric and natural gas public utilities to incur costs of service and
15 investments that utilize, generate, or involve clean energy resources or
16 renewable energy resources, or both.

17 (2) The commission may encourage or require electric and natural
18 gas public utilities subject to its jurisdiction to consider clean energy or
19 renewable energy resources, or both, as part of any resource plan or natural
20 gas procurement plan.

21 (3) After proper notice and hearings, the commission may approve
22 any clean energy resource or renewable energy resource that it determines to
23 be in the public interest.

24 (4) If the commission determines that the cost of a clean energy
25 resource or renewable energy resource is in the public interest, the
26 commission may allow the affected electric or natural gas public utility to
27 implement a temporary surcharge or utilize an existing commission approved
28 cost recovery mechanism to recover ~~a portion of~~ the appropriate costs of such
29 a resource until the implementation of new rate schedules in connection with
30 the electric or natural gas public utility's next general rate filing in
31 which such costs can be included in the electric or natural gas public
32 utility's base rate schedules or for continued recovery through an approved
33 appropriate tariff.

34 (b) The use of a clean energy resource or a renewable energy resource
35 in the form of a biofuel by an electric or natural gas public utility in a
36 manner that displaces an energy equivalent of fossil fuels shall apply toward

1 the satisfaction of the electric or natural gas public utility's energy
2 efficiency or conservation goals established by the commission or by law.

3 ~~(b)~~(c) Nothing in this subchapter shall be construed as limiting or
4 diminishing the authority of the commission to order, require, promote, or
5 engage in any other energy resource practices or procedures.

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