

1 **ENROLLED**

2 **COMMITTEE SUBSTITUTE**

3 **FOR**

4 **H. B. 2803**

5 (By Delegates Manchin, M. Poling, Iaquinta, Guthrie
6 and Manypenny)

7
8 [Passed March 7, 2014; in effect ninety days from passage.]
9

10 AN ACT to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §24-2-19, relating to
12 requiring electric utilities to develop integrated resource
13 plans; requiring the Public Service Commission to order
14 development of integrated resource plans; specifying certain
15 deadlines for the plans; requiring commission review;
16 authorizing commission to request additional information from
17 the utilities; and providing considerations for commission
18 when developing requirements for integrated resource plans.

19 *Be it enacted by the Legislature of West Virginia:*

20 That the Code of West Virginia, 1931, as amended, be amended
21 by adding thereto a new section, designated §24-2-19, to read as
22 follows:

23 **ARTICLE 2. POWERS AND DUTIES OF PUBLIC SERVICE COMMISSION.**

24 **§24-2-19. Integrated Resource Planning Required.**

25 (a) Not later than March 31, 2015, the Public Service
26 Commission shall issue an order directing any electric utility that
27 does not have an existing requirement approved by the Public

1 Service Commission that provides for the future review of both
2 supply side and demand side resources to develop an initial
3 integrated resource plan to be filed not later than January 1,
4 2016, in conjunction with other similar deadlines required by other
5 states or entities of the electric utilities. This order may
6 include guidelines for developing an integrated resource plan.

7 (b) (1) Any electric utility that has an existing requirement
8 approved by the Public Service Commission that provides for the
9 future review of both supply side and demand side resources is
10 exempt from this initial integrated resource plan filing until such
11 time as that existing requirement has been satisfied. Thereafter,
12 such electric utility is required to file an integrated resource
13 plan pursuant to subsection (a) of this section.

14 (2) Each electric utility that has filed the initial
15 integrated resource plan shall file an updated plan at least every
16 five years after the initial integrated resource plan has been
17 filed. Any electric utility that was exempt from filing an initial
18 integrated resource plan shall file an integrated resource plan
19 within five years of satisfying any existing requirement and at
20 least every five years thereafter. All integrated resource plans
21 shall comply with the provisions of any relevant order of the
22 Public Service Commission establishing guidelines for the format
23 and contents of updated and revised integrated resource plans.

24 (c) The Public Service Commission shall analyze and review an
25 integrated resource plan. The Public Service Commission may request
26 further information from the utility, as necessary. Nothing in this

1 section affects the obligations of utilities to obtain otherwise
2 applicable commission approvals.

3 (d) The Commission may consider both supply-side and demand-
4 side resources when developing the requirements for the integrated
5 resource plans. The plan shall compare projected peak demands with
6 current and planned capacity resources in order to develop a
7 portfolio of resources that represents a reasonable balance of cost
8 and risk for the utility and its customers in meeting future demand
9 for the provision of adequate and reliable service to its electric
10 customers as specified by the Public Service Commission.