WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4661

By Delegate E. Pritt

[Introduced January 12, 2024; Referred

to the Committee on Technology and Infrastructure

then Finance]

1   A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,

2   designated §24-2J-1, relating to requiring all public and private utility systems that are

3   granted rate increases to set aside 5% of these funds for repairs and improvements to the

4   physical utility infrastructure; establishing limitations on the use of these funds; prohibiting

5   passing this cost on to the consumers.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2J. INFRASTRUCTURE IMPROVEMENT FUND.

§24-2J-1. Infrastructure Improvement Fund; rate increases; requirements; limitations.

1   (a) As a condition of all future utility rate increases, if an increase is granted to a private or

2   public utility system by the West Virginia Public Service Commission, 5% of all individually billed

3   new percentage increase charges on all existing or future customer accounts must be set aside by

4   the utility into an "infrastructure improvement" fund;

5   (1) This fund cannot be used for routine maintenance;

6   (2) This fund must be used for physical utility infrastructure (i.e., water lines, electrical

7   transmission lines, treatments facilities, power generation substations, power plants themselves,

8   etc.);

9   (b) This cost cannot be passed on to the consumer through any category of fees or through

10   future rate increases;

11   (c) This fund can only be utilized for new utility infrastructure improvement projects.

NOTE: The purpose of this bill is to create an infrastructure fund that will be made from 5% from every rate increase granted to public and private utilities that is to be used for infrastructure repairs and improvements.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.