

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5101

By Delegates Hansen and Young

[Introduced January 25, 2024; Referred to the
Committee on Technology and Infrastructure]

1 A BILL to amend the West Virginia Code, 1931, as amended, by adding thereto a new section,
 2 designated §24-3-11, relating to establishing reporting requirements for utilities that are
 3 members of a regional transmission organization; and providing the contents and timing of
 4 those reports.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 3. DUTIES AND PRIVILEGES OF PUBLIC UTILITIES SUBJECT TO
 REGULATIONS OF COMMISSION.**

§24-3-11. Reporting by utilities that are members of a regional transmission organization.

1 (a) As used in this section:

2 (1) "Regional Transmission Organization" means an entity that qualifies as a regional
 3 transmission organization under 18 C.F.R. § 35.34 (2006).

4 (2) "Affiliate" means a person that directly or indirectly, or through one or more
 5 intermediaries, controls, is controlled by, or is under common control with, or has, directly or
 6 indirectly, any economic interest in another person.

7 (3) "Meeting" in this section means any committee, user group, task force or any other part
 8 of the regional transmission organization in which votes are taken.

9 (4) "Recorded vote" means any final or non-final vote that is tabulated, individually or as
 10 part of a sector, for any purpose at a meeting, regardless of whether the vote represents a final
 11 position of any entity casting a vote or the decision-making authority of those voting.

12 (b) This section applies only to public service utilities that are members of a regional
 13 transmission organization.

14 (c) (1) On or before February 1 each year, each public service utility that is a member of a
 15 regional transmission organization shall submit to the commission a report of any recorded vote
 16 cast by the public service utility or an affiliate at a meeting of that regional transmission
 17 organization during the immediately preceding calendar year.

- 18 (2) The report shall include:
- 19 (A) All recorded votes cast by the public service utility, regardless of whether the vote is
20 otherwise disclosed;
- 21 (B) All votes cast by any affiliate of the public service utility, where the public service utility
22 did not vote on the matter; and
- 23 (C) A brief description explaining how each vote cast by the public service utility or its
24 affiliate, as appropriate, is in the interest of the public.

NOTE: The purpose of this bill is to require that each public service utility that is a member of a regional transmission organization submit information relating to the utility or an affiliate's votes at a regional transmission organization meeting.

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