

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5641

By Delegate Pinson

Introduced February 12, 2024; Referred to the
Committee on Energy and Manufacturing

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section
 2 designated §24-2-1r, relating to the electrical needs of the premises of the United States
 3 Armed Forces or the West Virginia National Guard; providing that the provision of
 4 electricity from a certified high impact industrial business development district to meet the
 5 needs of the premises of the United States Armed Forces or the West Virginia National
 6 Guard does not constitute a public service; and providing exemptions from the limitations
 7 on power purchase agreements or net metering and interconnections standards as
 8 provided in code for a certified high impact industrial business development district which
 9 enters into a power purchase agreement with the United States Armed Forces or the West
 10 Virginia National Guard to provide electricity only to meet the needs of its premises.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. POWERS AND DUTIES OF PUBLIC SERVICE COMMISSION.

§24-2-1r. Jurisdiction over the premises of the United States Armed Forces or West Virginia National Guard.

1 (a) To encourage the development of energy infrastructure and strategic resources that
 2 will ensure the continuity of governmental operations in situations of emergency, the provision of
 3 electricity from a high impact industrial business development district, as certified pursuant to §5B-
 4 2-21(b) of this code, to meet only the electrical needs of the premises of the United States Armed
 5 Forces or the West Virginia National Guard shall not constitute a public service under §24-2-1 of
 6 this code effective July 1, 2024.

7 (b) The electrical output of any certified high impact industrial business development
 8 district to the premises of the United States Armed Forces or the West Virginia National Guard,
 9 which is subject to a power purchase agreement, shall not be subject to any limitations on power
 10 purchase agreements or the net metering and interconnection standards as set forth in §24-2F-8
 11 of this code.

NOTE: The purpose of this bill is to clarify that the premises of the United States Armed Forces or the West Virginia National Guard are not a public service for purposes of the jurisdiction of the West Virginia Public Service Commissioner when receiving electricity from a certified high impact industrial business development district to meet only the electrical needs of the premises of the United States Armed Forces or the West Virginia National Guard.

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