

As Engrossed: 3/10/93

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1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Gordon**

A Bill

SENATE BILL 483

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANN. TITLE 23, CHAPTER 18,
9 SUBCHAPTER 2 BY ADDING A NEW SECTION 204 REGARDING THE
10 JURISDICTION OF THE ARKANSAS PUBLIC SERVICE COMMISSION ON
11 MATTERS CONCERNING INTEGRATED RESOURCE PLANNING BY
12 ELECTRIC COOPERATIVE CORPORATIONS; AND FOR OTHER
13 PURPOSES."

Subtitle

16 "REGARDING THE JURISDICTION OF THE ARKANSAS PUBLIC SERVICE
17 COMMISSION ON MATTERS CONCERNING INTEGRATED RESOURCE
18 PLANNING BY ELECTRIC COOPERATIVE CORPORATIONS."

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

22 SECTION 1. Arkansas Code Annotated Title 23, Chapter 18, Subchapter 2
23 is hereby amended by adding the following Section 204:

24 "23-18-204. Prior to requiring any electric cooperative corporation to
25 file an integrated resource plan, the Arkansas Public Service Commission,
26 after notice and hearing, shall determine whether any integrated resource plan
27 which such electric cooperative corporation has been required by federal law
28 or regulation to file with the Rural Electrification Administration is in
29 substantial compliance with the integrated resource planning guidelines issued
30 by the Arkansas Public Service Commission. If the Arkansas Public Service
31 Commission determines that the Rural Electrification Administration integrated
32 resource planning regulations and any integrated resource plan filed with the
33 Rural Electrification Administration pursuant to such regulations by such
34 electric cooperative corporation are in substantial compliance with the

1 Arkansas Public Service Commission's integrated resource planning guidelines,
2 the Arkansas Public Service Commission may accept the integrated resource plan
3 which has been filed with the Rural Electrification Administration in lieu of
4 requiring such electric cooperative corporation to file an integrated resource
5 plan developed specifically in accordance with the integrated resource
6 planning guidelines issued by the Arkansas Public Service Commission."

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8 SECTION 2. All provisions of this act of a general and permanent nature
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
10 Revision Commission shall incorporate the same in the Code.

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12 SECTION 3. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

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18 SECTION 4. All laws and parts of laws in conflict with this act are
19 hereby repealed.

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21 SECTION 5. EMERGENCY. It is hereby found and determined by the General
22 Assembly that the need of the electric cooperatives in Arkansas for the relief
23 accorded herein is immediate, so that they will be spared from duplicative
24 regulation and not be required to incur the burdensome time and expense of
25 complying with existing Arkansas Public Service Commission regulations
26 governing promotional practices and integrated resource planning. Therefore,
27 an emergency is hereby declared to exist and this act being necessary for the
28 immediate preservation of the public peace, health and safety shall be in full
29 force and effect from and after its passage and approval.

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/s/ Senator Gordon

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