

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: H2/14/17

A Bill

HOUSE BILL 1421

5 By: Representative Beck
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For An Act To Be Entitled

8 AN ACT CONCERNING THE CRITERIA THAT NONRESIDENTIAL
9 BUSINESS CONSUMERS MUST MEET IN ORDER TO OPT OUT OF
10 UTILITY-SPONSORED ENERGY CONSERVATION PROGRAMS AND
11 MEASURES; AND FOR OTHER PURPOSES.
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Subtitle

14 CONCERNING THE CRITERIA THAT
15 NONRESIDENTIAL BUSINESS CONSUMERS MUST
16 MEET IN ORDER TO OPT OUT OF UTILITY-
17 SPONSORED ENERGY CONSERVATION PROGRAMS
18 AND MEASURES.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 *SECTION 1. The introductory language of Arkansas Code § 23-3-*
25 *405(c)(1)(A), concerning exemptions to the authority of the Arkansas Public*
26 *Service Commission to establish rates and charges, is amended to read as*
27 *follows:*

28 *(c)(1)(A) A nonresidential business consumer that is classified within*
29 *sectors 31 through 33 of the North American Industry Classification System,*
30 *as it existed on January 1, 2013, or a nonresidential business consumer that*
31 *is a state-supported institution of higher education may provide notice by*
32 *mail or ~~electronic mail~~ email to the commission on or before September 15 of*
33 *any year of the nonresidential business consumer's decision to opt out of*
34 *utility-sponsored energy conservation programs and measures and direct the*
35 *nonresidential business consumer's own energy conservation programs and*
36 *measures if the nonresidential business consumer:*



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SECTION 2. Arkansas Code § 23-3-405(c)(1)(A)(ii)(b), concerning the exemption criteria for a nonresidential business consumer, is amended to read as follows:

(b) Has accepted but returned to an applicable public utility through a separate payment to the public utility or through payment of the applicable utility rates any amount received from an applicable public utility calculated from the date of the installation of the last energy conservation program or measure, including any interest and directly attributable rate effects, from an applicable public utility, for:

- (1) The installation of any energy conservation programs and measures by the applicable public utility; or
- (2) Financing or direct monetary compensation in the form of a rebate or incentive to enable the installation of any energy conservation programs and measures by the applicable public utility.

/s/Beck

APPROVED: 03/01/2017