

ARKANSAS SENATE
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of Senate Bill No. 187

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 18 OF THE ARKANSAS CODE CONCERNING
PROPERTY RIGHTS AND INTERESTS.

Amendment No. 3 to Senate Bill No. 187

Amend Senate Bill No. 187 as engrossed, S2/25/13 (version: 02/25/2013 10:11:03 AM):

Page 7, delete lines 1 through 13, and substitute the following:

"18-15-512. Definition of "electric utility".

(a)(1) As used in this subchapter, ~~the term~~ "electric utility" means ~~an electric utility as defined by § 23-19-102(9) [repealed] or an independent transmission system operator, independent transmission company, independent regional transmission group, or other independent transmission entity operating transmission facilities in this state under § 23-19-103(g) [repealed]~~ a public utility, as defined in § 23-1-101(9), that owns or operates for compensation in this state equipment or facilities for producing, generating, transmitting, distributing, selling, or furnishing electricity or another agent for the production of light or electric power to or for the public in this state.

(2) "Electric utility" does not include:

(A) An exempt wholesale generator as defined in § 23-1-101(5);

(B) Any person not otherwise an electric utility or a business unit of an electric utility that:

(i) Is a power broker who acts as an agent, or intermediary on behalf of another person, for the purpose of facilitating the sale or purchase of electricity;

(ii) Is a power marketer who acquires, purchases, or generates electric energy on its own behalf with the intent of reselling the electric energy to another person at wholesale;

(iii) Is a qualifying facility that is a cogeneration or small power production facility entitled to the rights and privileges of a qualifying facility under the Public Utilities Regulatory Reform Act of 1978, 16 U.S.C. § 2601 et seq.; or

(iv) Is a municipal corporation owning a municipal electric utility; or

(C) An independent transmission system operator, independent transmission company, independent regional transmission group, or other independent transmission entity operating transmission facilities in



this state as an independent transmission company, an independent regional transmission group, or other independent transmission entity that is not a public utility, as defined in § 23-1-101(9)."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator D. Johnson

DLP/PAT - 03-08-2013 16:33:00

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Secretary