

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007

# A Bill

HOUSE BILL 2545

4  
5 By: Representative Wood  
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7

## For An Act To Be Entitled

8  
9 AN ACT TO AUTHORIZE THE ARKANSAS PUBLIC SERVICE  
10 COMMISSION TO REQUIRE AN ELECTRIC PUBLIC UTILITY  
11 TO WITHDRAW FROM CENTRALIZED SYSTEM WIDE RESOURCE  
12 PLANNING; AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 TO AUTHORIZE THE ARKANSAS PUBLIC SERVICE  
16 COMMISSION TO REQUIRE AN ELECTRIC PUBLIC  
17 UTILITY TO WITHDRAW FROM CENTRALIZED  
18 SYSTEM WIDE RESOURCE PLANNING.  
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20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 23-18-106, concerning authority to order  
24 disengagement, is amended to add an additional subsection to read as follows:

25 (e) The commission may require an electric public utility that is  
26 owned by a public utility holding company as defined by section 1261 of the  
27 Energy Policy Act of 2005, Pub. L. No. 109-58, and engages in centralized  
28 system-wide resource planning to withdraw from centralized system wide  
29 resource planning if:

30 (1) The commission determines that centralized system wide  
31 resource planning is not in the public interest; and

32 (2) The electric public utility's withdrawal from centralized  
33 system wide resource planning is not otherwise prohibited by law.  
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35 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
36 General Assembly of the State of Arkansas that the rates paid by customers of



1 public utilities have been affected and will continue to be affected in a  
2 manner that is burdensome to the families of Arkansas and harmful to economic  
3 development because of the actions of public utilities and that the Arkansas  
4 Public Service Commission needs to be immediately authorized to require  
5 public utilities to withdraw from system wide planning in order to protect  
6 Arkansas customers from higher public utility costs. Therefore, an emergency  
7 is declared to exist and this act being immediately necessary for the public  
8 peace, health, and safety shall become effective on:

9 (1) The date of its approval by the Governor;

10 (2) If the bill is neither approved nor vetoed by the Governor,  
11 the expiration of the period of time during which the Governor may veto the  
12 bill; or

13 (3) If the bill is vetoed by the Governor and the veto is  
14 overridden, the date the last house overrides the veto.

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