

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 2812

4  
5 By: Representatives Sullivan, Allen, Berry, Cooper, L. Evans, Everett, King, Lowery, Maxwell, S.  
6 Prater, Ragland, Reep, Sample  
7 By: Senators R. Thompson, G. Jeffress, J. Jeffress

## For An Act To Be Entitled

11 AN ACT TO CREATE THE ARKANSAS CLEAN ENERGY  
12 DEVELOPMENT ACT; AND FOR OTHER PURPOSES.

### Subtitle

15 TO CREATE THE ARKANSAS CLEAN ENERGY  
16 DEVELOPMENT ACT.

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

21 SECTION 1. Arkansas Code Title 23, Chapter 18 is amended to add an  
22 additional subchapter to read as follows:

23 23-18-701. Legislative findings and declaration of purpose.

24 (a) The General Assembly finds that it is in the public interest to  
25 require electric public utilities subject to the jurisdiction of the Arkansas  
26 Public Service Commission to consider clean energy and the use of renewable  
27 energy resources as part of any resource plan.

28 (b) The purpose of this chapter is to ensure that all electric public  
29 utilities subject to the jurisdiction of the Arkansas Public Service  
30 Commission will consider clean energy and the use of renewable resources as a  
31 part of any resource plan.

33 23-18-702. Electric public utilities required to consider clean energy  
34 resources.

35 All electric public utilities subject to the jurisdiction of the  
36 Arkansas Public Service Commission shall consider clean energy and the use of



1 renewable resources as part of any resource plan.

2  
3 23-18-703. Authority of the Arkansas Public Service Commission.

4 (a)(1) The Arkansas Public Service Commission is authorized to  
5 consider, propose, develop, solicit, approve, implement, and monitor measures  
6 by electric public utilities subject to its jurisdiction which cause the  
7 companies to incur costs of service and investments which utilize, generate,  
8 or involve clean energy resources or renewable energy resources, or both.

9 (2) The Commission may encourage or require electric public  
10 utilities subject to its jurisdiction to consider clean energy or renewable  
11 energy resources, or both, as part of any resource plan.

12 (3) After proper notice and hearings, the Commission may approve  
13 any clean energy resource or renewable energy resource that it determines to  
14 be in the public interest.

15 (4) If the Commission determines that the cost of a clean energy  
16 resource or renewable energy resource is in the public interest, the  
17 Commission may allow the affected electric public utility to implement a  
18 temporary surcharge to recover a portion of the costs of such a resource  
19 until the implementation of new rate schedules in connection with the  
20 utility's next general rate filing wherein such costs can be included in the  
21 utility's base rate schedules.

22 (b) Nothing in this subchapter shall be construed as limiting or  
23 diminishing the authority of the Commission to order, require, promote, or  
24 engage in any other energy resource practices or procedures.