

# H.B. 244

## INDEPENDENT ENERGY PRODUCER AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 8, 2016 2:18 PM

Representative **Francis D. Gibson** proposes the following amendments:

1. *Page 12, Line 358 through Page 13, Line 375:*

358           (2) An independent energy producer is exempt from regulation by the commission as a  
359 public utility for an independent power production facility if the independent energy producer  
360 produces a commodity or delivers a service:

361           (a) solely for the use of a state-owned facility;

362           (b) not for sale to the public, without charge, solely for the use of:

363           (i) the independent energy producer;

364           (ii) an independent energy producer's tenant; or

365           (iii) an association of unit owners formed under Title 57, Chapter 8, Condominium  
366 Ownership Act;

367           (c) for sale solely to an electrical corporation or other wholesale purchaser; **or**

368           (d) (i) for use by:

369           (A) an entity the independent energy producer controls, is controlled by, or is an  
370 affiliate of; or

371           (B) a user located on real property that the independent energy producer manages or  
372 controls; and

373           (ii) for use on real property that is contiguous to, or is separated only by a public road

374 or easement from, real property that the independent energy producer owns or controls {~~;~~ **or**} ~~.~~

375           {~~(e) to a customer in an area served by an entity that is not regulated by the commission.~~}