

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2881

By Delegate E. Pritt

[Introduced January 20, 2023; Referred to the
Committee on Technology and Infrastructure then
Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §24-2I-1, relating to requiring all public and private utility systems that are
 3 granted rate increases to set aside 5% of these funds for repairs and improvements to the
 4 physical utility infrastructure; establishing limitations on the use of these funds; prohibiting
 5 passing this cost on to the consumers.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2I. INFRASTRUCTURE IMPROVEMENT FUND.

§24-2I-1. Infrastructure Improvement Fund; rate increases; requirements; limitations.

1 (a) As a condition of all future utility rate increases, if an increase is granted to a private or
 2 public utility system by the West Virginia Public Service Commission, 5% of all individually billed
 3 new percentage increase charges on all existing or future customer accounts must be set aside by
 4 the utility into an "infrastructure improvement" fund;

5 (1) This fund cannot be used for routine maintenance;

6 (2) This fund must be used for physical utility infrastructure (i.e., water lines, electrical
 7 transmission lines, treatments facilities, power generation substations, power plants themselves,
 8 etc.);

9 (b) This cost cannot be passed on to the consumer through any category of fees or through
 10 future rate increases;

11 (c) This fund can only be utilized for new utility infrastructure improvement projects.

NOTE: The purpose of this bill is to create an infrastructure fund that will be made from 5% from every rate increase granted to public and private utilities that is to be used for infrastructure repairs and improvements.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.