WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5101

By Delegates Hansen and Young

[Introduced January 25, 2024; Referred to the Committee on Technology and Infrastructure]

A BILL to amend the West Virginia Code, 1931, as amended, by adding thereto a new section, designated §24-3-11, relating to establishing reporting requirements for utilities that are members of a regional transmission organization; and providing the contents and timing of those reports.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. DUTIES AND PRIVILEGES OF PUBLIC UTILITIES SUBJECT TO REGULATIONS OF COMMISSION.

**§24-3-11. Reporting by utilities that are members of a regional transmission organization**.

(a) As used in this section:

(1) "Regional Transmission Organization" means an entity that qualifies as a regional transmission organization under 18 C.F.R. § 35.34 (2006).

(2) "Affiliate" means a person that directly or indirectly, or through one or more intermediaries, controls, is controlled by, or is under common control with, or has, directly or indirectly, any economic interest in another person.

(3) "Meeting" in this section means any committee, user group, task force or any other part of the regional transmission organization in which votes are taken.

(4) "Recorded vote" means any final or non-final vote that is tabulated, individually or as part of a sector, for any purpose at a meeting, regardless of whether the vote represents a final position of any entity casting a vote or the decision-making authority of those voting.

(b) This section applies only to public service utilities that are members of a regional transmission organization.

(c) (1) On or before February 1 each year, each public service utility that is a member of a regional transmission organization shall submit to the commission a report of any recorded vote cast by the public service utility or an affiliate at a meeting of that regional transmission organization during the immediately preceding calendar year.

(2) The report shall include:

(A) All recorded votes cast by the public service utility, regardless of whether the vote is otherwise disclosed;

(B) All votes cast by any affiliate of the public service utility, where the public service utility did not vote on the matter; and

(C) A brief description explaining how each vote cast by the public service utility or its affiliate, as appropriate, is in the interest of the public.

NOTE: The purpose of this bill is to require that each public service utility that is a member of a regional transmission organization submit information relating to the utility or an affiliate’s votes at a regional transmission organization meeting.

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