

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 510

By Senators Rose and Martin

[Introduced February 17, 2025; referred
to the Committee on Energy, Industry, and Mining;
and then to the Committee on Government
Organization]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §24-9-1, §24-9-2, §24-9-3, and §24-9-4, relating to providing for the creation of the Stable Energy Rates Protection Act.

Be it enacted by the Legislature of West Virginia:

ARTICLE 9. THE STABLE ENERGY RATES PROTECTION ACT.

§24-9-1. Amendment of West Virginia Code §24-2-1 et seq.

(a) No later than six months from the passage of this bill, the West Virginia Public Service Commission shall amend its rules and regulations as follows:

(1) Prohibition on Rate Basis for Wind and Solar Energy. The Public Service Commission shall not approve, consider, or incorporate into any rate increase any costs associated with:

(A) The construction, operation, maintenance, or decommissioning of wind energy facilities.

(B) The construction, operation, maintenance, or decommissioning of solar energy facilities.

(2) Existing Contracts. This prohibition does not apply to costs associated with contracts executed prior to the effective date of this act, but no future rate increases shall be based on expansions or new commitments to wind or solar energy projects under those contracts.

(b) The Commission shall review all pending rate cases and adjust any current or proposed rate increases accordingly to comply with this section.

§24-9-2. Reporting

The Public Service Commission shall annually report to the Legislature:

An assessment of the impact of this prohibition on energy rates and reliability in West Virginia; and

Recommendations for further action to ensure energy affordability and reliability.

§24-9-3. Severability.

If any provision of this act or the application thereof to any person or circumstance is held

- 2 invalid, such invalidity shall not affect other provisions or applications of the act which can be given
3 effect without the invalid provision or application, and to this end the provisions of this act are
4 declared to be severable.

§24-9-4. Effective Date.

- 1 This act shall take effect upon passage.

NOTE: The purpose of this bill is to provide for the creation of the Stable Energy Rates Protection Act.

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