

FIRST REGULAR SESSION

SENATE BILL NO. 413

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOON.

1953S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapter 386, RSMo, by adding thereto one new section relating to electrical corporations.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 386, RSMo, is amended by adding thereto one new section, to be known as section 386.015, to read as follows:

386.015. 1. Notwithstanding any territorial agreement made pursuant to the provisions of section 394.312 to the contrary, beginning January 1, 2022, the commission shall consider multiple applications for area certificates of convenience and necessity from electrical corporations that want to provide electric service within the same geographical area, and if such applications meet the commission's rules and regulations governing applications for certificates of convenience and necessity, the commission shall authorize two or more electrical corporations to provide electric service within the same geographical area. Every person, business, association of persons or businesses, state agency, political subdivision of the state of Missouri, or any other entity in Missouri has the right to choose the provider of its electric utility service, including, but not limited to, selecting providers from a competitive retail electric market, or by producing electricity for themselves or in association with others,

19 and shall not be forced to purchase energy from one
20 provider. Nothing in this section shall be construed as
21 limiting such persons' or entities' right to sell, trade, or
22 otherwise dispose of electricity.

23 2. Upon issuance of a certificate of convenience and
24 necessity by the commission, the incumbent electrical
25 corporation shall offer, as tariffed services, delivery
26 services. For the purpose of this section, "delivery
27 services" means those services provided by the incumbent
28 electrical corporation that are necessary in order for the
29 transmission and distribution systems to function so that
30 retail customers located in the incumbent electrical
31 corporation's service area can receive electric power and
32 energy from suppliers other than the incumbent electrical
33 corporation.

34 3. Nothing in this section shall be construed to
35 invalidate Missouri's public policies on renewable energy,
36 energy efficiency, and environmental protection, or limit
37 the general assembly's ability to impose such policies on
38 participants in a competitive retail electric energy market.

39 4. Municipally owned electric utilities operating
40 under chapter 91 and rural electric cooperatives operating
41 under chapter 394 shall not be subject to the provisions of
42 this section.

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