

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

554M0303

HOUSE BILL NO. 1017

Introduced by: The Committee on Commerce at the request of the Public Utilities
Commission

1 FOR AN ACT ENTITLED, An Act to authorize the Public Utilities Commission to implement
2 and comply with certain federal energy acts and to validate certain related commission
3 actions.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That chapter 49-34A be amended by adding thereto a NEW SECTION to read
6 as follows:

7 The commission may implement and comply with the provisions of the Public Utility
8 Regulatory Policies Act of 1978, as amended to January 1, 2006, and the Energy Policy Act of
9 2005, and may promulgate rules pursuant to chapter 1-26 consistent with these acts. The
10 commission may promulgate rules to establish the following:

- 11 (1) Standards requiring a public utility to make net metering services available to any
12 electric consumer that the utility serves;
- 13 (2) Standards requiring a public utility to offer each of its customer classes, and provide
14 individual customers upon customer request, a time-based rate schedule under which
15 the rate charged by the electric utility varies during different time periods and reflects



1 the variance, if any, in the utility's costs of generating and purchasing electricity at
2 the wholesale level;

3 (3) Standards requiring a public utility to make interconnection service available on
4 request to any electric customer that the utility serves;

5 (4) Standards requiring a public utility to develop a plan to minimize dependence on one
6 fuel source and to ensure that the electric energy it sells to consumers is generated
7 using a diverse range of fuels and technologies, including renewable technologies;
8 and

9 (5) Standards requiring a public utility to develop and implement a ten-year plan to
10 increase the efficiency of its fossil fuel generation.

11 Any order adopted by the commission prior to January 1, 2006, pursuant to these acts, is
12 hereby validated.