

ARKANSAS SENATE
95th General Assembly - Regular Session, 2025
Amendment Form

Subtitle of Senate Bill 307

TO AMEND THE LAW CONCERNING PUBLIC UTILITIES; TO CREATE THE
GENERATING ARKANSAS JOBS ACT OF 2025; AND TO DECLARE AN EMERGENCY.

Amendment No. 2 to Senate Bill 307

Amend Senate Bill 307 as originally introduced:

Add Representatives Achor, F. Allen, Barnett, Beaty Jr., Brooks, M. Brown, Clowney, Cozart, Duffield, Eaton, Eubanks, Evans, K. Ferguson, Gramlich, Hall, Jean, L. Johnson, Ladyman, Lynch, Maddox, B. McKenzie, Pilkington, J. Richardson, R. Scott Richardson, Rye, Unger, Warren, Wing, Wooten as a cosponsor of the bill

AND

Page 4, delete line 3, and substitute "decision under § 23-2-423."

AND

Page 4, delete lines 29 and 30, and substitute the following:

"the commission to apply rate case procedures, and the commission notifies the co-op that the commission will initiate an investigation and may apply rate case procedures if the commission determines that there is substantial evidence indicating that rates and charges are"

AND

Page 10, line 34, delete "service; and" and substitute "service;"



AND

Page 11, delete line 3, and substitute the following:

"law, or not in the public interest;

(14) It is the policy of this state to maintain adequate capacity of available, reliable, dispatchable, affordable, and resilient electric generation to provide for the existing and reasonably projected future energy consumption needs of all consumers of electricity in Arkansas;

(15) Arkansas can support a multitude of potential electric generating resources and fuel supply resources so as to be the national leader in the production of reliable and affordable energy in all forms that make sense and are technically feasible, commercially viable, and financially viable or otherwise beneficial to customers in Arkansas and the Arkansas Public Service Commission shall ensure that generation resources will maintain or improve the affordability, adequacy, and reliability of the electric grid in Arkansas;

(16) Strategic investments will support the expansion of Arkansas's natural gas production capacity that will lead to economic growth and employment opportunities in that business sector and will support the continued development and use of Arkansas's natural resources; and

(17) Strategic investments will enhance the capacity, reliability, and resiliency of Arkansas's electric and natural gas utility infrastructure, which will support the reliability and resiliency of Arkansas's overall utility infrastructure and reliable electric and natural gas utility service during extreme temperatures and other weather conditions and during other periods of high demand and usage."

AND

Page 11, delete line 11

AND

Page 11, line 12, delete "(v)" and substitute "(iv)"

AND

Page 11, line 14, delete "(vi)" and substitute "(v)"

AND

Page 11, line 16, delete "(vii)" and substitute "(vi)"

AND

Page 11, line 18, delete "(viii)" and substitute "(vii)"

AND

Page 11, line 19, delete "(ix)" and substitute "(viii)"

AND

Page 11, line 20, delete "(x)" and substitute "(ix)"

AND

Page 11, line 21, delete "(xi)" and substitute "(x)"

AND

Page 12, delete line 27, and substitute the following:

"electric public utility or natural gas public utility, and approved by the Arkansas Public Service Commission under § 23-3-201 et seq., the Utility Facility Environmental and Economic Protection Act, § 23-18-501 et seq., or a notice under § 23-18-104 or as otherwise stated in subdivision (10)(B) of this section, to:"

AND

Page 13, delete lines 32 through 36, and substitute the following:

"one hundred twenty-five pounds per square inch gauge (125 PSIG) or greater

and natural gas storage facilities;"

AND

Page 14, delete lines 4 through 7, and substitute the following:

"(125 PSIG) or greater and natural gas storage facilities; and"

AND

Page 15, line 23, delete "sighting" and substitute "siting"

AND

Page 15, delete lines 27 through 29, and substitute the following:

"strategic investments that are not included in rates."

AND

Page 16, line 18, delete "and therefore is in the public interest"

AND

Page 16, line 22, delete "sixty (60)" and substitute "ninety (90)"

AND

Page 16, delete lines 27 and 28, and substitute the following:

"subchapter does not comply with this section, the commission shall enter an order denying the application."

AND

Page 18, line 1, delete "decision." and substitute "decision under § 23-2-423."

AND

Page 18, line 25, delete "(h)" and substitute "(h)(1)"

AND

Page 18, delete line 27, and substitute the following:

"review under this subchapter.

(2) At any time during the process, if the commission finds that any costs were not prudently incurred, the commission shall order that the costs that were not prudently incurred be refunded to customers through bill credits."

AND

Page 19, delete lines 2 through 5, and substitute the following:

"through the rider under this subchapter on any construction work in progress."

AND

Page 19, delete line 23, and substitute the following:

"structure with a minimum equity percentage of thirty percent (30%) and a maximum equity percentage of fifty percent (50%)."

AND

Page 21, line 19, delete "evaluate opportunities to"

AND

Page 22, delete lines 2 through 7, and substitute the following:

"utility or the investor-owned natural gas utility has strategic investments under construction in an amount equal to or greater than the amount"

AND

Page 22, delete lines 19 through 22, and substitute the following:

"or an investor-owned natural gas utility has strategic investments under construction in an amount equal to or greater than the level of"

AND

Page 22, line 30, delete "approved"

AND

Page 22, delete lines 34 through 36, and substitute the following:

"amounts identified in subdivisions (t)(1) and (2) of this section and designate those amounts to offset the cost of approved strategic investments not yet under construction if the commission determines that doing so is in the public"

AND

Page 23, delete lines 1 and 2

AND

Page 23, delete line 15, and substitute the following:

"as required under § 23-4-1207(b), plus interest at a rate equal to the cost of short-term debt approved in the investor-owned electric utility's or the investor-owned natural gas utility's most recent general rate case proceeding or annual formula rate plan filing."

AND

Page 24, line 4, delete "sighting" and substitute "siting"

AND

Page 24, line 16, delete "sighting" and substitute "siting"

AND

Page 24, line 34, delete "are completed and placed in service and" and substitute "are first included in rates and"

AND

Page 25, line 13, delete "sighting" and substitute "siting"

AND

Page 25, delete lines 32 through 36, and substitute the following:
"gas utility shall immediately notify the commission of any significant delays or material changes in the construction schedule to include any strategic investments that are abandoned before completion or for which construction has been indefinitely suspended or material changes in costs of any strategic investments recovered through the rider under this subsection (d)."

AND

Page 26, delete line 1

AND

Page 26, line 11, delete "versus recovery through rates"

AND

Page 26, line 13, delete "reasonable; or" and substitute "reasonable; and"

AND

Page 26, delete lines 14 through 16, and substitute the following:
"(D) Recovery of those costs is in the public interest."

AND

Page 26, line 26, delete "reasonable; or" and substitute "reasonable; and"

AND

Page 26, delete lines 27 through 29, and substitute the following:

"(C) Recovery of those costs is in the public interest."

AND

Page 30, delete lines 24 and 25, and substitute the following:

"recover strategic investments that are not included in rates."

AND

Page 31, line 10, delete "and therefore is in the public interest."

AND

Page 31, line 14, delete "sixty (60)" and substitute "ninety (90)"

AND

Page 31, delete lines 18 and 19, and substitute the following:

"application does not comply with this section, the commission shall enter an order denying the"

AND

Page 32, delete line 33, and substitute the following:

"decision under § 23-2-423."

AND

Page 33, line 22, delete "(h)" and substitute "(h)(1)"

AND

Page 33, delete line 24, and substitute the following:

"review under this subchapter.

(2) At any time during the process, if the commission finds that any costs were not prudently incurred, the commission shall order that the costs that were not prudently incurred be refunded to customers through bill credits."

AND

Page 34, delete lines 5 through 7, and substitute the following:

"construction work in progress."

AND

Page 35, line 30, delete "evaluate opportunities to"

AND

Page 37, line 4, delete "sighting" and substitute "siting"

AND

Page 37, line 16, delete "sighting" and substitute "siting"

AND

Page 37, line 34, delete "are completed and placed into service and" and substitute "are first included in rates and"

AND

Page 38, line 15, delete "sighting" and substitute "siting"

AND

Page 38, delete lines 33 through 36, and substitute the following:

"transmission cooperative shall immediately notify the commission of any significant delays or material changes in the construction schedule to include any strategic investments that are abandoned before completion or for which construction has been indefinitely suspended or material changes in costs of any strategic investments recovered through the rider in this subsection (d)."

AND

Page 39, delete lines 1 and 2

AND

Page 39, line 13, delete "versus recovery through rates otherwise"

AND

Page 39, line 15, delete "reasonable; or" and substitute "reasonable; and"

AND

Page 39, delete lines 16 through 18, and substitute the following:

"(D) Recovery of those costs is in the public interest."

AND

Page 39, line 29, delete "reasonable; or" and substitute "reasonable; and"

AND

Page 39, delete lines 30 through 32, and substitute the following:

"(C) Recovery of those costs is in the public interest."

AND

Page 41, delete line 36, and substitute the following:

"(i) Once strategic investments in public utility facilities that are complete and in"

AND

Page 42, delete line 1

AND

Page 43, line 6, delete "sighting" and substitute "siting"

AND

Page 44, line 19, delete "(d)" and substitute "(d)(1)"

AND

Page 46, line 14, delete "decision." and substitute "decision under § 23-2-423."

AND

Page 48, line 22, delete "decision." and substitute "decision under § 23-3-423."

AND

Page 49, delete lines 17 and 18, and substitute the following:

"Jobs Act of 2025, § 23-4-1301 et seq., as part of a public utility's notice under this section or application to construct an electric generation facility under this subchapter."

AND

Page 50, line 32, delete "decision." and substitute "decision under § 23-2-423."

AND

Page 55, delete lines 4 through 6, and substitute the following:
"Generating Arkansas Jobs Act of 2025, § 23-4-1301 et seq., as part of a public utility's application under the Utility Facility Environmental and Economic Protection Act, § 23-18-501 et seq."

AND

Page 55, line 27, delete "18-503(7)(A)" and substitute "18-503(6)(A)"

AND

Page 60, line 12, delete "person or corporation that" and substitute "person as defined under § 23-1-101(8) or corporation that"

AND

Page 61, line 25, delete "decision." and substitute "decision under § 23-2-423."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Dismang

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Secretary