

REFERENCE TITLE: public service corporations; hydroelectric power

State of Arizona
Senate
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2017

SB 1032

Introduced by
Senator Kavanagh

AN ACT

AMENDING SECTION 40-201, ARIZONA REVISED STATUTES; RELATING TO PUBLIC SERVICE CORPORATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 40-201, Arizona Revised Statutes, is amended to
3 read:

4 40-201. Definitions

5 A. In this chapter, unless the context otherwise requires:

6 1. "Ancillary services" means those services designated as
7 ancillary services in federal energy regulatory commission order 888
8 adopted in 1996 including the services necessary to support the
9 transmission of electricity from resources to loads while maintaining
10 reliable operation of the transmission system in accordance with good
11 utility practice.

12 2. "Appliance application" means central space heating, clothes
13 drying, water heating and indoor cooking.

14 3. "Bundled service" means electric service provided as a package
15 to the consumer including all generation, transmission, distribution,
16 ancillary and other services necessary to deliver and measure useful
17 electricity used by consumers.

18 4. "Commission" means the Arizona corporation commission.

19 5. "Common carrier" means a railroad or street railroad.

20 6. "Electric distribution facilities" means all property used in
21 connection with the distribution of electricity from an electric
22 generating plant to retail electric customers except electric transmission
23 facilities.

24 7. "Electric distribution service" means the distribution of
25 electricity to retail electric customers through the use of electric
26 distribution facilities.

27 8. "Electric distribution utility" means a public service
28 corporation or public power entity that operates, controls or maintains
29 electric distribution facilities.

30 9. "Electric generation plant" means all property used in
31 connection with the generation for sale of electricity to retail electric
32 customers but excluding any services provided by electric transmission
33 facilities or electric distribution facilities.

34 10. "Electric generation service" means the provision of
35 electricity for sale to retail electric customers but does not include
36 electric distribution or transmission services and generation that are
37 necessary for the reliable operation of the electric distribution or
38 transmission system.

39 11. "Electric transmission facilities" means all property so
40 classified by the federal energy regulatory commission or, to the extent
41 permitted by law, so classified by the Arizona corporation commission.

42 12. "Electric transmission service" means the transmission of
43 electricity to retail electric customers or to electric distribution
44 facilities that is so classified by the federal energy regulatory

1 commission or, to the extent permitted by law, so classified by the
2 Arizona corporation commission.

3 13. "Electricity" means electric energy, electric capacity or
4 electric capacity and energy.

5 14. "Electricity supplier" means a person, whether acting in a
6 principal, agent or other capacity, that is a public service corporation
7 that offers to sell electricity to a retail electric customer in this
8 state.

9 15. "Foreign nonprofit, member owned cooperative corporation" means
10 a cooperative incorporated in another state if that state has not ordered
11 electric competition for cooperative corporations.

12 16. "Gas plant" includes all property used in connection with the
13 production, transmission or delivery of gas for light, heat or power for
14 sale.

15 17. "Other services" means metering, meter reading, billing and
16 collecting services.

17 18. "Pipeline" includes all property used in transmission for
18 compensation of air, steam or fluid substances, except water, through
19 pipelines.

20 19. "Railroad" includes every railway, other than a street
21 railroad, operated for public transportation of persons or property.

22 20. "Residential structure" means a detached owner-occupied or
23 rental one or two family dwelling unit, an attached duplex or fourplex
24 unit, a manufactured home, a residential factory-built building as defined
25 in section 41-4001 or a mobile home designed to be used with a permanent
26 structure, excluding real property used to accommodate more than four
27 attached dwelling units.

28 21. "Retail electric customer" means a person who purchases
29 electricity for that person's own use, including use in that person's
30 trade or business, and not for resale, redistribution or retransmission.

31 22. "Service territory" means the geographic area in which a public
32 power entity or public service corporation owns, operates, controls or
33 maintains electric distribution facilities or natural gas distribution
34 facilities and that additional area in which the public power entity or
35 public service corporation has agreed to extend electric distribution
36 facilities or natural gas distribution facilities, whether established by
37 a certificate of convenience and necessity, by official action by a public
38 power entity or by contract or agreement.

39 23. "Sewer corporation" includes every person owning, controlling,
40 operating or managing any sewage system for profit.

41 24. "Sewerage system" includes all property used in connection with
42 the collection, treatment, purification and disposal transmission, storage
43 or treatment of sewage.

1 25. "Street railroad" includes every railway operated along any
2 street or public way for public transportation of persons or property, but
3 does not include a commercial or interurban railway.

4 26. "Telecommunications corporation" means a public service
5 corporation other than municipal engaged in transmitting messages or
6 furnishing public telegraph or telephone service or operating as a
7 telecommunications common carrier.

8 27. "Telegraph line" includes all property used in connection with
9 communication by telegraph for compensation with or without the use of
10 transmission wires.

11 28. "Telephone line" includes all property used in connection with
12 communication by telephone, for compensation, with or without the use of
13 transmission wires.

14 29. "Transportation of persons" includes every service in
15 connection with the carriage and delivery of a person and the person's
16 baggage.

17 30. "Transportation of property" includes every service in
18 connection with the transportation and handling of property.

19 31. "Water system" includes all property used in connection with
20 the diversion, development, storage, distribution and sale of water for
21 beneficial uses for compensation.

22 B. IN ANY RULE OR ORDER ADOPTED AND ISSUED PURSUANT TO THIS
23 CHAPTER, WHETHER BEFORE OR AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO
24 THIS SECTION, "RENEWABLE ENERGY" INCLUDES THE USE OF HYDROELECTRIC POWER.