



within 180 days of receipt of a complete application from a private use electrical network and authorizes the applicant to seek commission action if the utility fails to comply.

Proposed law provides that a declaration of nonjurisdiction issued by the commission is binding, not subject to collateral attack, and remains effective despite changes in ownership or structure, as long as the network continues to meet statutory requirements. Further provides that the commission may revoke the declaration only after notice and hearing upon a finding that the network no longer satisfies the requirements of proposed law.

Proposed law authorizes applicants for a declaration of nonjurisdiction to request confidential treatment of customer identities and commercial terms and requires the commission to grant the requests upon a showing of competitive harm. Further provides that the commission shall not publicly disclose information granted confidential treatment under proposed law.

Proposed law requires LPSC to adopt rules in accordance with proposed law no later than 180 days after the effective date to provide an expedited process for issuance of a declaration of nonjurisdiction, to require LPSC to issue a determination within 30 days of application receipt, and to create nondiscriminatory tariffs and interconnection procedures for backup, standby, maintenance, and export service.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 45:1231.1)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Defines the term "primarily dedicated".
2. Provides that retail sale of electricity shall not include delivery or sale of electricity from a private use electrical network to an identified load customers.
3. Provides that wholesale market participation by a private use electrical network shall not cause the network's services to be considered a public utility or retail sale.
4. Requires upon receipt of electric utilities to complete an interconnection study and execute an interconnection agreement within 180 days of receiving a complete interconnection agreement from a private use electrical network.
5. Allows an applicant to petition the commission if utility fails to complete study or execute agreement.
6. Provides that nonjurisdiction determinations are binding and remain effective unless

the statutory requirements are not met.

7. Provides for confidentiality of the identity of any identified lead customer prior to information being made public upon competitive harm.
8. Makes technical changes.