

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Senate Bill 431 be amended to read as follows:

1           "SECTION 1. IC 8-1-2-128 IS ADDED TO THE INDIANA  
2           CODE AS A NEW SECTION TO READ AS FOLLOWS  
3           [EFFECTIVE JULY 1, 1998]: Sec. 128.(a) **An independent**  
4           **transmission system operator organization or similar multi-state**  
5           **transmission organization (referred to in this section as an "ISO")**  
6           **may own, operate, manage, or control transmission plant or**  
7           **property within Indiana for the provision of electric transmission**  
8           **services without the ISO, its operations or services being subject to**  
9           **the requirements of this title so long as the ISO has been approved**  
10           **by the Federal Energy Regulatory Commission and remains**  
11           **subject to regulation by the Federal Energy Regulatory**  
12           **Commission under the Federal Power Act.**

13           **(b) The transmission plant or property subject to ownership,**  
14           **operation, management, or control by the ISO may not be used,**  
15           **directly or indirectly, in whole or in part, to violate the exclusive**  
16           **right of an electricity supplier to be the sole provider of retail**  
17           **electric service under IC 8-1-2.3-4.**

18           **(c) Notwithstanding any other provision of this title, a person**  
19           **or entity that owns, operates, manages, or controls plan or**  
20           **property within Indiana for the transmission of electricity may**  
21           **take any action necessary to participate in an ISO that meets the**  
22           **requirements of this section, if the person or entity is regulated by**  
23           **the commission under this chapter, subject to the commission's**  
24           **approval of that action as being in the public interest. The**  
25           **commission shall not approve the participation by a person or**  
26           **entity if it would cause a reduction of employment in any of the**  
27           **following operations, services or facilities, including but not limited**  
28           **to, generation, transmission, distribution, underground, overhead,**  
29           **metering, billing, service, collection, headquarter offices and**  
30           **remote offices.**

31           **(d) Participation by a person or entity in an ISO that meets**  
32           **the requirements of this section shall be voluntary and within the**

1       **sole discretion of the person or entity.**  
2               **(e) Commission approval to participate in an ISO does not**  
3       **represent prior approval for ratemaking purposes of any**  
4       **expenditure made by participating person or entity."**

Reference is made to SB 431 as printed January 28, 1998.

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Senator R. YOUNG