

Public Service Commission
of West Virginia

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201 Brooks Street, P.O. Box 812
Charleston, West Virginia 25323



2018 DEC 21 A 9:51 Michael A. Albert
Chairman

OFFICE WEST VIRGINIA
SECRETARY OF STATE

December 21, 2018

West Virginia Secretary of State
Attn: Administrative Division
Maureen Lewis, Assistant Director
Office of the Secretary of State
State Capitol Building
Charleston, West Virginia 25305

Re: Repeal of Rules Governing Alternative and Renewable Energy Portfolio Standard, 150 C.S.R. 34
Most Recent Effective Date of Rule: September 26, 2014
Effective Date of Repeal of Rule: January 1, 2019

Dear Ms. Lewis:

By this letter, the Public Service Commission of West Virginia repeals the Rules Governing Alternative and Renewable Energy Portfolio Standard, 150 C.S.R. 34 (Portfolio Rules), pursuant to Rule 5.17 of the Electronic Filing and Formatting of Rules, 153 C.S.R. 1 (Rule 5.17).¹

The Portfolio Rules were initially effective January 4, 2011, and modified effective September 26, 2014. Repeal of the Portfolio Rules will be effective January 1, 2019.

The Commission and its rules are Legislative exempt (W.Va. Code §§24-2-7, 29A-1-2(d), and 29A-1-3(b)), and, therefore, repeal of the Portfolio Rules by letter is authorized by Rule 5.17.

¹ "When repealing a legislative-exempt, procedural or interpretive rule, a letter signed by the agency head will be filed. The letter will indicate the name of the agency, the title and service number of the rule, the name of the rule, the effective date of the rule and the date the repeal will be effective."

Pursuant to W.Va. Code §29A-1-2(d), a Legislative exempt rule “means every rule promulgated by an agency or relating to a subject matter that is exempt from the rule-making provisions of article three of this chapter, under section three, article one of this chapter or any other section of this code.”

On December 21, 2018, the Public Service Commission of West Virginia issued General Order No. 184.5, giving notice about the repeal of the Portfolio Rules to all electric utilities in the State of West Virginia.

Please let us know if you have any questions or require additional information.

Sincerely yours,

A handwritten signature in black ink that reads "Michael A. Albert". The signature is written in a cursive style with a large initial "M".

Michael A. Albert
Chairman

cc: Jared Wyrick (jwyrick@wv.legislature.gov)
Jordan Nuzum (jnuzum@wv.legislature.gov)