

1 AN ACT relating to utility service.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 367 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Certified territory" has the same meaning as in KRS 278.010;*

7 *(b) "Energy source" means the method of generation or fuel source used to*  
8 *provide or supply utility service to a customer, including but not limited to*  
9 *any nonrenewable or renewable energy resources;*

10 *(c) "Retail electric service" has the same meaning as in KRS 278.010;*

11 *(d) "Retail electric supplier" has the same meaning as in KRS 278.010; and*

12 *(e) "Utility service" means:*

13 *1. The supplying of liquefied petroleum gas by a licensed liquefied*  
14 *petroleum gas dealer regulated under KRS Chapter 234; or*

15 *2. Any service provided by a utility regulated by the Public Service*  
16 *Commission under KRS Chapter 278 or a municipal utility subject to*  
17 *KRS Chapter 96 relating to:*

18 *a. The generation, production, transmission, or distribution of*  
19 *electricity to or for the public, for compensation, for lights, heat,*  
20 *power, or other uses; or*

21 *b. The production, manufacture, storage, distribution, sale, or*  
22 *furnishing of natural or manufactured gas, or a mixture of*  
23 *same, to or for the public, for compensation, for light, heat,*  
24 *power, or other uses.*

25 *(2) No utility service shall be infringed, prohibited, or otherwise impaired in any way*  
26 *on the basis of the energy source of the utility service to be delivered to the*  
27 *individual customer.*

1 **(3) Nothing in this section shall affect the exclusive right of a retail electric supplier**  
2 **to furnish retail electric service within its certified territory pursuant to KRS**  
3 **278.016, 278.017, and 278.018.**

4 **(4) Nothing in this section shall affect the authority or the jurisdiction of the Public**  
5 **Service Commission under KRS Chapter 278.**