

By: Senator(s) Carter

To: Energy

## SENATE BILL NO. 2229

1 AN ACT TO DEFINE TERMS; TO PROHIBIT RECOVERY OF COSTS FOR  
2 ELECTRIC VEHICLE CHARGING STATIONS FROM RATEPAYERS; TO PRESCRIBE  
3 THE RATE STRUCTURE FOR ELECTRIC VEHICLE CHARGING STATIONS; TO  
4 STIPULATE THAT THIS ACT SHALL BE CODIFIED IN TITLE 77, CHAPTER 3,  
5 MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** For the purposes of this act, the following words  
8 shall have the meanings ascribed herein unless the context clearly  
9 requires otherwise:

10 (a) "Direct current fast charging station" means an  
11 electric vehicle charging system capable of delivering electricity  
12 at a minimum of fifty (50) kilowatts or greater direct current to  
13 an electric vehicle's rechargeable battery at a voltage of  
14 two-hundred (200) volts or greater.

15 (b) "Electric vehicle" means a motor vehicle that is  
16 propelled by one (1) or more electric motors using energy stored  
17 in the form of a rechargeable battery.

18 (c) "Electric vehicle charging station" means any Level  
19 2 charging station or direct current fast charging station that



20 delivers electricity from a source outside an electric vehicle  
21 into one or more electric vehicles separate and distinct from  
22 make-ready infrastructure.

23 (d) "Electric vehicle charging station operator" means  
24 a person, partnership, corporation or other business entity that  
25 operates an electric vehicle charging station. The term does not  
26 include an electric utility, electric cooperative,  
27 municipally-owned electric utility or a political subdivision.

28 (e) "Level 2 charging station" means any electric  
29 vehicle charging system capable of delivering electricity at a  
30 minimum of three (3) kilowatts or at a maximum of fifty (50)  
31 kilowatts alternating current to an electric vehicle's  
32 rechargeable battery at a voltage of two-hundred (200) volts or  
33 greater.

34 (f) "Make-ready infrastructure" means the  
35 customer-specific electrical infrastructure required to service an  
36 electric vehicle charging station's electrical load on the  
37 electric utilities side of the electric meter.

38 (g) "Retail electric supplier" means any person, firm,  
39 corporation, association, public utility, electric cooperative,  
40 municipal corporations or beneficial trusts thereof engaged in the  
41 furnishing of retail electric service.

42 (h) "Retail electric service" means electric service  
43 furnished to a consumer for ultimate consumption.



**SECTION 2.**

(1) No retail electric supplier shall be permitted to recover from its ratepayers any direct or indirect expenditures associated with investments in the ownership or operation of electric vehicle charging stations by such entity.

(2) A retail electric supplier that provides, owns, operates or maintains an electric vehicle charging station directly to the public shall do so through a separate, unregulated subsidiary and shall do so on a non-discriminatory basis under the same fees, terms, rates, charges and conditions offered to private providers of electric vehicle charging stations in the designated service territory of a retail electric supplier.

(3) Nothing in this section shall be construed to limit the ability of a retail electric supplier to provide the make-ready infrastructure required to serve the electrical load of electric vehicle charging stations or to furnish electricity to electric vehicle charging station operators for charging electric vehicles.

**SECTION 3.**

(1) Each retail electric supplier shall be required to maintain a commercial direct current fast charging station tariff utilizing alternatives to traditional demand-based rate structures. The rate structures shall set forth the fees, terms and conditions for the sale of electricity to electric vehicle charging station operators for the operation of electric vehicle charging stations.

(2) Each retail electric supplier's commercial tariff filed under subsection (1) of this section shall not include the



69 application of demand charges and shall be designed to be billed  
70 on the basis of kilowatt-hours.

71 (3) Retail electric suppliers rate-regulated by the  
72 Mississippi Public Service Commission shall file an initial tariff  
73 with the commission that complies with the requirements of this  
74 act on or before October 1, 2025. The commission shall issue an  
75 order approving or amending the retail electric supplier's  
76 commercial tariff, in compliance with this act, within one hundred  
77 twenty (120) days of the tariff submission.

78 (4) All other retail electric suppliers, not rate regulated  
79 by the Mississippi Public Service Commission, shall publish an  
80 initial tariff that complies with the requirements of this act by  
81 October 1, 2025. The tariff as published by the non-rate regulated  
82 retail electric supplier may be challenged in court to enforce  
83 compliance with the requirements of this act.

84 (5) Each retail electric supplier's commercial tariff filed  
85 under this section shall remain in effect until a successor tariff  
86 is approved in accordance with the provisions of this act.

87 **SECTION 4.** Sections 1 through 3 of this act shall be  
88 codified in Title 77, Chapter 3, Mississippi Code of 1972.

89 **SECTION 5.** This act shall take effect and be in force from  
90 and after July 1, 2025.

