

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.

44 **SECTION 2.** (1) No retail electric supplier shall be
45 permitted to recover from its ratepayers any direct or indirect
46 expenditures associated with investments in the ownership or
47 operation of electric vehicle charging stations by such entity.

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

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

60 **SECTION 3.** (1) Each retail electric supplier shall be
61 required to maintain a commercial direct current fast charging
62 station tariff utilizing alternatives to traditional demand-based
63 rate structures. The rate structures shall set forth the fees,
64 terms and conditions for the sale of electricity to electric
65 vehicle charging station operators for the operation of electric
66 vehicle charging stations.

67 (2) Each retail electric supplier's commercial tariff filed
68 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.