From: Travis Fisher, Director of Energy and Environmental Policy Studies
Cato Institute

To: Wyoming Legislative Service Office and Members of the Joint Minerals, Business & Economic Development Committee

Re: Electric Utilities

August 27, 2026

Chairman and Members of the Committee,

Thank you for the opportunity to comment on electric utility policy in Wyoming. My name is Travis Fisher, and I am the director of energy and environmental policy studies at the Cato Institute. Cato is a nonpartisan public policy research organization dedicated to the principles of individual liberty, limited government, free markets, and peace. At Cato, my research focuses on the role of free markets in improving the availability and affordability of energy and natural resources.

I have worked at the intersection of the electricity industry and public policy for 20 years, including leadership roles at the Federal Energy Regulatory Commission, the U.S. Department of Energy, and the Electricity Consumers Resource Council. My work follows the advice of economist Frederic Bastiat, who implored us to treat all economic questions from the viewpoint of the consumer.

At Cato, I recently published a briefing paper titled "The Case for Consumer-Regulated Electricity: Private Electricity Grids Offer a Parallel Path to Energy Abundance," which examines a framework for private electricity networks and highlights how Consumer-Regulated Electricity (CRE) can address the concerns associated with rapid growth in industrial electricity demand.[1]

CRE is a principled free-market reform, but it's also pragmatic. CRE legislation has already been passed in Ohio, New Hampshire, and Utah, and federal legislation supporting CRE has been introduced in the U.S. House and Senate. It is a straightforward policy reform that could help this committee improve the lives of Wyomingites by maintaining the

[1] Travis Fisher and Glen Lyons, *The Case for Consumer-Regulated Electricity: Private Electricity Grids Offer a Parallel Path to Energy Abundance*, Cato Institute Briefing Paper No. 196, Feb. 3, 2026, https://www.cato.org/briefing-paper/case-consumer-regulated-electricity-private-electricity-grids-offer-parallel-path

affordability and reliability of the grid. Similar in spirit to 27LSO-0023, CRE would offer alternative ways for large industrial loads to quickly acquire or build the electricity infrastructure they need to power their operations. Although CRE is tailored to new loads being served off-grid, it is compatible with 27LSO-0023 because it recognizes that large industrial customers should not be held back by the slow pace or high cost of service from incumbent utilities.

The briefing paper also argues that the justification for economic oversight by the Public Service Commission (PSC) no longer holds when large, sophisticated customers contract for electricity service with off-grid providers. These transactions are voluntary contracts between willing buyers and sellers, do not impact others, and should not be subject to PSC oversight. Industrial customers from the mining, oil and gas, and data center industries are more likely to be harmed than protected by the PSC.

The importance of creating a parallel path to energy abundance has become clearer in the wake of the PSC's recent dismissal of the petition by The Anschutz Corporation.[2] The PSC has become an obstacle to economic development. The PSC majority was unable to provide the regulatory certainty that would enable large customers and non-public utility generators to power Wyoming's future, so now it's up to the legislature.

Regarding 27LSO-0060, there is a clear need for the durability legislation provides. However, the PSC should not take the lead in developing new laws. After sitting on the petition by The Anschutz Corporation for 15 months—time it could have spent establishing clear rules for non-public utility generators in Wyoming—the PSC instead introduced more uncertainty by dismissing the petition and failing to provide clear guidance. With that track record in mind, it does not appear to be in the interest of Wyoming families and businesses to give today's PSC carte blanche to develop legislation that will bind future commissions.

Finally, I urge committee members to start thinking about how to protect the people of Wyoming from the next U.S. president, who might break from the current administration's support for energy expansion and oppose the state's energy policies. Federal rules could change by the time projects that begin construction this year are placed in service. For example, a federal moratorium on grid connections for large customers could hurt Wyoming's nascent technology industry as well as its oil, gas, mining, and other industries. Opening up off-grid options not only protects residential customers today but also protects industrial growth in the event of an antagonistic federal executive branch in 2029.

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[2] Dustin Bleizeffer, *Wyoming contemplates power supply regulations for AI, data centers*, WyoFile, Jul. 23, 2026, https://wyofile.com/wyoming-contemplates-power-supply-regulations-for-ai-data-centers/

Thank you for your consideration. Please consider me a resource as you work through these challenging issues on behalf of the people of Wyoming.

Sincerely,
Travis Fisher, Director of Energy and Environmental Policy Studies
Cato Institute