WEST VIRGINIA CODE: §5B-2F-2A

§5B-2F-2a. Comprehensive Energy Plan

(a) The Office of Energy shall prepare and submit a five-year energy development plan to the Governor and the Joint Committee on Government and Finance on or before December 1 of 2026 and every five years thereafter. The development plan shall identify how the office anticipates implementing the state's energy policy during the subsequent five-year period, as well as the policies enacted and actions taken in the previous five-year period in furtherance of said policy. The development plan shall provide direction for the private sector and shall include any recommended legislation. The Department of Environmental Protection and the Public Service Commission, in addition to their other duties prescribed by this code, shall assist the office in the development of an energy policy and related development plans. The energy development plan shall recognize the powers of the office as to development and financing of projects under its jurisdiction and shall make such recommendations as are reasonable and practicable for the exercise of such powers.

(b) The energy policy and development plans required by §5B-2F-1 and §5B-2F-2 of this code shall further identify and report on the energy infrastructure in this state and include without limitation energy infrastructure related to protecting the state's essential data, information systems and critical government services in times of emergency, inoperativeness or disaster. In consultation with the Secretary of the Department of Homeland Security and the Director of the Division of Emergency Management, the office shall encourage the development of energy infrastructure and strategic resources that will ensure the continuity of governmental operations in situations of emergency, inoperativeness or disaster.

(c) In preparing or revising the energy policy and development plan, the office may rely upon internal staff reports or the advice of outside advisors or consultants and may procure such services with the consent of the Secretary of Commerce. The Office of Energy may also involve national, state and local government leadership and energy experts.

(d) Any documentary material, data or other writing made or received by the Office of Energy or other public body for the purposes of preparing the energy policy and development plan is exempt from the Freedom of Information Act under § 29B-1-1 *et seq*. of this code.

WV Legislature