

1 **PUBLIC UTILITIES AMENDMENTS**

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Kevin T. Van Tassell**

5 House Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions related to an agreement between an electrical corporation
10 and a municipality.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ requires the Public Service Commission to post public notice of an agreement it
14 reviews between an electrical corporation and a municipality; and

15 ▶ requires the Public Service Commission to, except under certain conditions, accept,
16 within a certain time, an agreement between an electrical corporation and a
17 municipality.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **54-4-40**, as enacted by Laws of Utah 2013, Chapter 242

26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **54-4-40** is amended to read:



28 **54-4-40. Approval of certain agreements between an electrical corporation and**
29 **municipality.**

30 (1) The commission shall review an agreement entered into between an electrical
31 corporation and a municipality if the electrical corporation is required to obtain commission
32 approval in accordance with Section 10-8-14, 54-3-30, or 54-3-31.

33 (2) The requirements of Subsection (1) do not confer jurisdiction on the commission to
34 regulate any electric service provided by a municipality.

35 ~~[(3) Unless the commission determines that additional time is warranted and is in the~~
36 ~~public interest, no]~~

37 ~~[later than 120 days after the day on which an application to approve an agreement~~
38 ~~described in Subsection (1) is filed by an electrical corporation, the commission shall:]~~

39 ~~[(a) approve the agreement;]~~

40 ~~[(b) approve the agreement subject to conditions imposed by the commission; or]~~

41 ~~[(c) reject the agreement.]~~

42 (3) The commission shall provide public notice of an agreement described in
43 Subsection (1) no later than three business days after the day on which the commission receives
44 an application to approve the agreement.

45 (4) An agreement described in Subsection (1) is approved 20 days after the day on
46 which the commission posts the notice described in Subsection (3) unless, before the
47 agreement is approved:

48 (a) the commission:

49 (i) determines that additional time is warranted and in the public interest; and

50 (ii) notifies the parties to the agreement of the commission's determination; or

51 (b) a person that the agreement affects submits a request to the commission, in writing,

52 that the commission:

53 (i) hold a public hearing regarding the agreement; or

54 (ii) provide additional time for the person to investigate the agreement.

Legislative Review Note
as of 1-20-15 2:00 PM

Office of Legislative Research and General Counsel