

**MINUTES OF THE  
PUBLIC UTILITIES AND TECHNOLOGY INTERIM COMMITTEE**  
Wednesday, November 20, 2002 – 2:00 p.m. – Room 129 State Capitol

**Members Present:**

Sen. Leonard M. Blackham, Senate Chair  
Sen. Mike Dmitrich  
Sen. Scott K. Jenkins  
Sen. John L. Valentine  
Rep. Douglas C. Aagard  
Rep. J. Stuart Adams  
Rep. Sheryl L. Allen  
Rep. Ralph Becker  
Rep. Chad E. Bennion  
Rep. Eric Hutchings  
Rep. Brent H. Goodfellow  
Rep. Gordon E. Snow  
Rep. Michael R. Styler  
Rep. Stephen H. Urquhart

**Members Absent:**

Rep. John E. Swallow, House Chair  
Rep. Ty McCartney  
Speaker Martin R. Stephens  
Rep. David Ure

**Staff Present:**

Mr. Richard North, Research Analyst  
Ms. Patricia Owen, Associate General Counsel  
Ms. Jennifer Markham, Legislative Secretary  
Ms. Glenda S. Whitney, Legislative Secretary

**Note:** A list of others present and a copy of materials can be found at <http://www.image.le.state.ut.us/imaging/history.asp> or by contacting the committee secretary, Jennifer Markham or Glenda Whitney, at 538-1032.

**1. Committee Business**

Chair Blackham called the meeting to order at 2:15 p.m.

**MOTION:** Sen. Jenkins moved to approve the minutes of the June 19 and October 23, 2002 meetings. The motion passed unanimously, with Sen. Dmitrich, Sen. Valentine, Rep. Becker, Rep. Bennion, and Rep. Hutchings absent for the vote.

**2. Personal Information Protection: Draft Legislation**

Rep. Doug Aagard distributed and summarized the changes in draft legislation "Protection of Nonpublic Personal Information."

**MOTION:** Rep Aagard moved to recommend the draft legislation "Protection of Nonpublic Personal Information" as a committee bill. The motion passed with Sen. Valentine, Rep. Goodfellow, and Rep. Hutchings voting in opposition. Rep. Bennion was absent for the vote.

**3. Amendments to Interlocal Cooperation Act: Draft Legislation**

Mr. Reed Searle, General Manager, Intermountain Power Agency, explained the proposed legislation and how it differed from the draft previously discussed by the Committee. Mr. Searle indicated the Intermountain Power Agency is working with PacifiCorp on a possible amendment that clarifies S.B. 29 (2002 General Session) as related to a city establishing an energy service agency.

Mr. Mike Peterson, Executive Director, Utah Rural Electric Association, indicated he would meet with Mr. Searle to address the issues raised by PacifiCorp.

**MOTION:** Sen. Valentine moved to recommend draft legislation "Amendments to the Interlocal Cooperation Act" dated November 19, 2002 as a committee bill. The motion passed with Rep. Snow voting in opposition. Rep. Bennion and Rep. Styler were absent for the vote.

Chair Blackham asked to be excused from the meeting and requested Sen. Valentine chair in his absence.

#### **4. Statutory Reports:**

##### **A. Energy Policy Task Force**

Sen. Blackham summarized the activities of the Energy Policy Task Force including the review of PacifiCorp's multistate proposal and resource plan. He stated the task force members recommended reauthorizing the Task Force for two years. Sen Jenkins requested a report next interim on any requirements for energy efficiency in state owned and operated buildings.

##### **B. Competition in Telecommunications Industry Task Force**

Sen. Evans summarized the report "Overview of Competition in the Telecommunications Industry Task Force" which was distributed to the Committee.

##### **C. Chief Information Officer Report**

Dr. Phillip Windley, Chief Information Officer, distributed and discussed the "State of Utah Annual Technology Report."

##### **D. State of Telecommunications Industry**

Mr. Steve Mecham, Chair, Public Service Commission, distributed and discussed "The Status of Telecommunication Competition in Utah."

#### **5. Impediments to Non-Utility Energy Providers**

Mr. Mecham provided an overview of meetings with PacifiCorp and other interested parties. He stated that one of the issues involved fragmented environmental clearance procedures which resulted in delays because of siting, rights-of-way, and permits. He indicated one of the recommended solutions is to create a state coordinator for assisting in coordinating federal, state, and local authorizations to build power plants. He stated that the industry recommended granting permission to begin construction before the environmental permitting process is completed. He indicated there is concern that the lack of clarity impedes the development of qualifying facilities larger than one megawatt. He stated that, in his opinion,

the volatile market of 2001-2002 hindered investment in new facilities because investors were concerned about recovery of their investment.

Mr. Jeff Burk, Energy Policy Coordinator, Utah Energy Office, described the interstate transmission siting protocol that was recently signed by the Western Governor's Association and four federal agencies. He indicated the protocol will provide a process for working together by the signatories to streamline siting and permitting of transmission facilities.

#### **6. Other Items / Adjourn**

**MOTION:** Rep. Bennion moved to adjourn the meeting. The motion passed unanimously, with Sen. Dmitrich, Sen. Blackham, Rep. Goodfellow, Rep. Styler, and Rep. Urquhart. The Chair adjourned the meeting at 3:45 p.m.