



CORRECTED COMMITTEE REPORT

February 23, 2000

Mr. Speaker:

The Public Utilities and Technology Committee recommends **H.B. 320**, PUBLIC UTILITY AMENDMENTS, by Representative D. Ure, be replaced and reports a favorable recommendation on **1st Sub. H.B. 320**, PUBLIC UTILITY AMENDMENTS with the following amendments:

1. Pages 10-11, Lines 303-310: Delete underlined language and reinstate bracketed language
2. Page 19, Line 556: After "commission" delete "and staff" and insert "or a designated administrative law judge, and such staff as the commission or administrative law judge shall determine,"
3. Page 19, Line 563: After "commission" insert "or the administrative law judge"
4. Page 35, Line 1052: After "balancing the" delete "interest" and insert "interests of consumers and the public utility as outlined"
5. Page 37, Line 1116: At the beginning of line 1116 insert "(1)"
6. Page 37, Line 1118: Delete "(1)" and insert "(a)"
7. Page 37, Line 1121: Delete "(2)" and insert "(b)"
8. Page 37, Line 1122: Delete "(a)" and insert "(i)"
- 9.. Page 37, Line 1124: Delete "(b)" and insert "(ii)"
10. Page 37, Line 1125: Delete "(c)" and insert "(iii)" and after "Subsections" delete "(2)(a) and (b)" and insert "(b)(i) and (b)(ii)" and after line 1125 insert the following:

"(2)(a) As used in this Subsection 54-10a-6(2), "small commercial consumer" means a person or entity conducting a business, agricultural, or other enterprise in the state having less than 25 employees or a gross income less than \$1,000,000 annually.

(b) Notwithstanding the requirement of Subsection (1) to balance the interests of consumers and the public utility, the director of the Office of the Public Advocate:

(i) shall designate one or more members of the staff of the Office of the Public Advocate to take positions and testify for the interests of residential or small commercial consumers in:

(A) any conference in which the Office of the Public Advocate participates pursuant to Section 54-7-11.5, if the conference is on a matter in which residential or small commercial consumers have a substantial interest; and

(B) each adjudicatory proceeding in which residential or small commercial consumers have a substantial interest; and

(ii) may provide resources described in Subsections 54-10a-3(2)(a) and (b) and Section 54-10a-4 to members of the staff of the Office of the Public Advocate to perform their duties under this Subsection (2).

11. Page 36, Lines 1097-1098:Delete lines 1097 through 1098 and insert the following:

"The attorney general shall appoint sufficient full time legal counsel to assist, advise, and represent the Office of the Public Advocate and its staff in the discharge of its duties and in all proceedings before the Public Service Commission, and in all other proceedings."

12. Page 37, Line 1133: After "consist of" delete "seven" and insert "eight"

13. Pages 37-38, Lines 1141 - 1142:Delete lines 1141 through 1142 and insert the following:

"(b) The remaining members of the board shall be:

(i) the executive director of the Department of Commerce; and

(ii) the director of the Office of the Public Advocate."

14. Page 38, Line 1143: After line 1143 insert the following:

"(d) In serving as a member of the advisory board, the director of the Office of the Public Advocate:

(i) may not vote; and

(ii) shall report on the activities of the Office of the Public Advocate.

(e) The advisory board shall annually select a member to serve as chair."

15. Page 38, Line 1161: Delete line 1161 and insert the following:

"(a) set agendas and hold monthly meetings, and may hold other meetings, at the times and places as the chair or a majority of the advisory board may determine; and

16. Page 38, Line 1163: Delete "consistent with Subsection 54-1-1(2)"

17. Page 41, Lines 1236-1242: Delete every instance of the year "2000" and Insert "2001"

Respectfully,

Sheryl L. Allen
Committee Chair

Voting: 7-6-0

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