

1 PUBLIC SERVICE COMMISSION HEARING AMENDMENTS

2 2020 GENERAL SESSION

3 STATE OF UTAH

4

5 LONG TITLE

6 General Description:

7 This bill modifies the Public Utilities code by amending provisions relating to the
8 Public Service Commission's review or rehearing procedures.

9 Highlighted Provisions:

10 This bill:

- 11 ▶ extends the deadline for the Public Service Commission to act on an application for
- 12 review or rehearing of an order or decision of the commission; and
- 13 ▶ extends the deadline for the Public Service Commission to issue its decision on
- 14 rehearing.

15 Money Appropriated in this Bill:

16 None

17 Other Special Clauses:

18 None

19 Utah Code Sections Affected:

20 AMENDS:

21 54-7-15, as last amended by Laws of Utah 2009, Chapter 347

22

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

24 Section 1. Section 54-7-15 is amended to read:

25 **54-7-15. Review or rehearing by commission -- Application -- Procedure --**

26 **Prerequisite to court action -- Effect of commission decisions.**

27 (1) Before seeking judicial review of the commission's action, any party, stockholder,
28 bondholder, or other person pecuniarily interested in the public utility who is dissatisfied with
29 an order of the commission shall meet the requirements of this section.

30 (2) (a) After any order or decision has been made by the commission, any party to the
31 action or proceeding, any stockholder, bondholder, or other party pecuniarily interested in the
32 public utility affected may apply for rehearing of any matters determined in the action or

33 proceeding.

34 (b) An applicant may not urge or rely on any ground not set forth in the application in
35 an appeal to any court.

36 (c) Any application for rehearing not granted by the commission within [~~20~~] 30 days is
37 denied.

38 (d) (i) If the commission grants any application for rehearing without suspending the
39 order involved, the commission shall issue its decision on rehearing within [~~20~~] 30 days after
40 final submission.

41 (ii) If the commission fails to render its decision on rehearing within [~~20~~] 30 days, the
42 order involved is affirmed.

43 (e) Unless an order of the commission directs that an order is stayed or postponed, an
44 application for review or rehearing does not excuse any corporation or person from complying
45 with and obeying any order or decision of the commission.

46 (3) Any order or decision on rehearing that abrogates, changes, or modifies an original
47 order or decision has the same effect as an original order or decision, but does not affect any
48 right, or the enforcement of any right, arising from the original order or decision unless ordered
49 by the commission.

50 (4) An order of the commission, including a decision on rehearing:

51 (a) has effect only with respect to a public utility that is an actual party to the
52 proceeding in which the order is rendered; and

53 (b) does not determine any right, privilege, obligation, duty, constraint, burden, or
54 responsibility with respect to a public utility that is not a party to the proceeding in which the
55 order is rendered unless, in accordance with Subsection 63G-3-201(6), the commission makes
56 a rule that incorporates the one or more principles of law that:

57 (i) are established by the order;

58 (ii) are not in commission rules at the time of the order; and

59 (iii) affect the right, privilege, obligation, duty, constraint, burden, or responsibility
60 with respect to the public utility.