



MINUTES

PUBLIC UTILITIES, ENERGY, AND TECHNOLOGY INTERIM COMMITTEE

LEGISLATURE

Wednesday, June 17, 2020 | 1:15 p.m. | 25 House Building

Members Present:

Sen. Ronald Winterton, Chair
Rep. Carl R. Albrecht, Chair
Sen. David P. Hinkins
Sen. Derek L. Kitchen
Sen. Ralph Okerlund
Sen. Scott D. Sandall
Rep. Patrice M. Arent
Rep. Walt Brooks
Rep. Scott H. Chew
Rep. Steve R. Christiansen

Rep. Kay J. Christofferson
Rep. Joel Ferry
Rep. Carol Spackman Moss
Rep. Marie H. Poulson
Rep. Jeffrey D. Stenquist
Rep. Keven J. Stratton

Staff Present:

Sarah J. Balland, Policy Analyst
Rikka Strong, Associate General Counsel
Cherish Cosman, Administrative Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Albrecht called the meeting to order at 1:16 p.m.

1 . Committee Business

MOTION: Rep. Brooks moved to approve the minutes of the November 20, 2019, meeting. The motion passed with a vote of 10 - 0 - 6.

Yeas-10

Rep. C. Albrecht
Rep. W. Brooks
Rep. S. Christiansen
Rep. K. Christofferson
Rep. J. Ferry
Sen. D. Hinkins
Sen. R. Okerlund
Sen. S. Sandall
Rep. K. Stratton
Sen. R. Winterton

Nays-0

Absent-6

Rep. P. Arent
Rep. S. Chew
Sen. D. Kitchen
Rep. C. Moss
Rep. M. Poulson
Rep. J. Stenquist

Committee staff introduced themselves.

2 . Interim Study Items and Rules Review

Sarah J. Balland presented an overview of interim committee rules and 2020 study items and committee discussion followed.

[2A - 2020 Interim Study Items, PUET Interim Committee \(Committee Document\)](#)

Chair Albrecht commented on the study items and referrals from the Judiciary Interim Committee and committee discussion continued.

[2B - Calls for Legislative Action Staff Presentation, Judiciary Interim Committee \(Agenda Background Information\)](#)

[2C - Calls for Legislative Action Tables, Judiciary Interim Committee \(Agenda Item Background Information\)](#)



MOTION: Sen. Winterton moved to amend the interim study items list to add the topic of renewable energy transmission to regional markets and other related issues and committee discussion continued. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

- Rep. C. Albrecht
- Rep. P. Arent
- Rep. W. Brooks
- Rep. S. Chew
- Rep. S. Christiansen
- Rep. K. Christofferson
- Rep. J. Ferry
- Sen. D. Hinkins
- Sen. R. Okerlund
- Rep. M. Poulson
- Sen. S. Sandall
- Rep. J. Stenquist
- Rep. K. Stratton
- Sen. R. Winterton

Nays-0

Absent-2

- Sen. D. Kitchen
- Rep. C. Moss

MOTION: Sen. Winterton moved to amend the interim study items list to add an update on rail and transportation of fuel regarding Seven County Infrastructure Coalition's Uinta Basin Railway project to the study items list. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

- Rep. C. Albrecht
- Rep. P. Arent
- Rep. W. Brooks
- Rep. S. Chew
- Rep. S. Christiansen
- Rep. K. Christofferson
- Rep. J. Ferry
- Sen. D. Hinkins
- Sen. R. Okerlund
- Rep. M. Poulson
- Sen. S. Sandall
- Rep. J. Stenquist
- Rep. K. Stratton
- Sen. R. Winterton

Nays-0

Absent-2

- Sen. D. Kitchen
- Rep. C. Moss

MOTION: Rep. Christiansen moved to add the Utah Supreme Court Case "Utah Office of Consumer Services v. Public Service Commission", 2019 UT 26, referred from the Judiciary Interim Committee regarding an energy balancing account for a large-scale electrical corporation, to the study items list. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Rep. C. Albrecht
Rep. P. Arent
Rep. W. Brooks
Rep. S. Chew
Rep. S. Christiansen
Rep. K. Christofferson
Rep. J. Ferry
Sen. D. Hinkins
Sen. R. Okerlund
Rep. M. Poulson
Sen. S. Sandall
Rep. J. Stenquist
Rep. K. Stratton
Sen. R. Winterton

Nays-0

Absent-2

Sen. D. Kitchen
Rep. C. Moss

MOTION:

Rep. Christiansen moved to add an update from Rocky Mountain Power (RMP), most likely in the November interim meeting, on the status of the recently approved electrical vehicle infrastructure investments enacted by 2020 H.B. 396, Electric Vehicle Charging Infrastructure Amendments, to the interim study items list and committee discussion to the motion followed. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Rep. C. Albrecht
Rep. P. Arent
Rep. W. Brooks
Rep. S. Chew
Rep. S. Christiansen
Rep. K. Christofferson
Rep. J. Ferry
Sen. D. Hinkins
Sen. R. Okerlund
Rep. M. Poulson
Sen. S. Sandall
Rep. J. Stenquist
Rep. K. Stratton
Sen. R. Winterton

Nays-0

Absent-2

Sen. D. Kitchen
Rep. C. Moss

MOTION:

Rep. Christiansen moved to adopt the 2020 study items list as amended. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Rep. C. Albrecht
Rep. P. Arent
Rep. W. Brooks
Rep. S. Chew
Rep. S. Christiansen
Rep. K. Christofferson
Rep. J. Ferry
Sen. D. Hinkins
Sen. R. Okerlund
Rep. M. Poulson
Sen. S. Sandall
Rep. J. Stenquist
Rep. K. Stratton
Sen. R. Winterton

Nays-0

Absent-2

Sen. D. Kitchen
Rep. C. Moss

MOTION: Rep. Christofferson moved to authorize the chairs to open committee bill files on behalf of the committee during the interim period and committee discussion to the motion followed. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Rep. C. Albrecht
Rep. P. Arent
Rep. W. Brooks
Rep. S. Chew
Rep. S. Christiansen
Rep. K. Christofferson
Rep. J. Ferry
Sen. D. Hinkins
Sen. R. Okerlund
Rep. M. Poulson
Sen. S. Sandall
Rep. J. Stenquist
Rep. K. Stratton
Sen. R. Winterton

Nays-0

Absent-2

Sen. D. Kitchen
Rep. C. Moss

3 . Data Privacy

Rep. Robert Spendlove presented an overview of the draft legislation, "Data Privacy Amendments" (2020s5001/001), to address the collection, use, and retention of private information in regards to the state's COVID-19 response, and responded to committee questions.

[3 - 2020 Fifth Special Session, H.B. 5001 "Data Privacy Amendments"](#)

David Sonnenreich, Director, Antitrust Section, Utah Attorney General's Office, spoke to the bill, addressed committee comments, and answered committee questions.

Rep. Robert Spendlove responded to comments and further questions and committee discussion on the bill continued.

MOTION: Rep. Christofferson moved to favorably recommend "Data Privacy Amendments" with a provision that it is amended with the suggestions discussed.

MOTION: Rep. Arent moved to favorably recommend, in concept, "Data Privacy Amendments," and to direct the bill sponsor to work with the Attorney General's office to produce a substitute bill for consideration in the Fifth Special Session that addresses the Attorney General's concerns and incorporates recommendations made by the committee.

Rep. Christofferson withdrew his motion and discussion concerning Rep. Arent's motion continued.

Rep. Robert Spendlove spoke to the motion.

Committee discussion regarding "Data Privacy Amendments" continued.

The committee voted on Rep. Arent's motion concerning "Data Privacy Amendments" and committee discussion followed. passed with a vote of 16 - 0 - 0.

Yeas-16Nays-0Absent-0

Rep. C. Albrecht
Rep. P. Arent
Rep. W. Brooks
Rep. S. Chew
Rep. S. Christiansen
Rep. K. Christofferson
Rep. J. Ferry
Sen. D. Hinkins
Sen. D. Kitchen
Rep. C. Moss
Sen. R. Okerlund
Rep. M. Poulson
Sen. S. Sandall
Rep. J. Stenquist
Rep. K. Stratton
Sen. R. Winterton

4 . Support for Maintaining Strong Infrastructure and Virtual Networks throughout the Pandemic

Jill Jones, District Manager, Central Davis Sewer District, presented an update on impacts from the pandemic on the waste-water industry, discussed tracking the virus in wastewater, and responded to committee questions.

[4B - COVID-19 Impacts to Sewers, Jones \(Presentation\)](#)

Chris Parker, Executive Director, Department of Commerce (Representing Division of Public Utilities), presented an overview of the division's efforts to support broadband investment through the Utah Universal Service Fund throughout the pandemic.

Jeff Peterson, Executive Director, Utah Rural Electric Cooperative Association, discussed the impacts of the pandemic on power to rural areas and the necessity of electric power supply chain workers.

Rikki Hrenko-Browning, President, Utah Petroleum Association, presented an update on the state's oil and gas industry, commented on the pandemic's effects, provided policy considerations to the committee, and responded to committee questions.

[4E - The Critical Role of Utah's Oil and Gas Industry, Utah Petroleum Association \(Presentation\)](#)

Brian Somers, President, Utah Mining Association, presented an overview distinguishing the difference between critical infrastructure maintained by energy industry workers and essential workers designations, emphasizing the impacts of the pandemic on the oil and gas industry and its consumers, and provided policy considerations to the committee.

[4D - Critical Infrastructure Industries, Utah Mining Association \(Presentation\)](#)

Kira M. Slawson, Legal Counsel, Utah Rural Telecom Association (URTA), shared URTA's maintenance of virtual networks throughout the pandemic and answered committee questions.

Tara Thue, President, Mountain West States, AT&T External and Legislative Affairs, presented an overview of impacts on AT&T throughout the pandemic, encouraged the state to weigh in on updates to letters provided by the Cybersecurity and Infrastructure Security Agency (CISA) of the Department of Homeland Security to critical infrastructure workers if stopped by local law enforcement or other officials during the pandemic, and responded to committee questions.

[4C - Critical infrastructure, AT&T \(Presentation\)](#)

5 . Utah's Energy Industry and COVID-19

Robert Simmons, Director, Governor's Office of Energy Development (OED), addressed the challenges the energy sector has experienced throughout the pandemic, updated the committee on OED's efforts with the industry and stakeholders through OED's working groups, offered suggestions where the Legislature could take action, and responded to committee questions.

[5B - COVID-19 Energy Sector Status Report, OED \(Report\)](#)

Chris Parker highlighted some challenges previously discussed by OED and industry analysts, addressed balancing accounts and forbearance, and responded to committee questions.

Josh Craft, Government and Corporate Relations Manager, Utah Clean Energy, spoke to the issue of recovery and the energy efficiency workforce.

6 . Utah's Telecommunications Industry and COVID-19

Tara Thue updated the committee on network status shifts and responded to committee questions.

[6B - Utah's Telecommunications Industry and COVID-19, AT&T \(Presentation\)](#)

Jennifer Somers, Director of Government Affairs, CenturyLink, presented an update on CenturyLink's efforts during the pandemic.

[6E - Utah's Telecommunication Industry and COVID-19, CenturyLink \(Presentation\)](#)

Kira M. Slawson reviewed the effects of the pandemic and URTA members' responses, suggested how the Legislature could take action regarding consumer broadband access, and committee discussion followed.

7 . Other Items/Adjourn

MOTION: Rep. Christiansen moved to adjourn. The motion passed with a vote of 16 - 0 - 0.

Yeas-16

Nays-0

Absent-0

Rep. C. Albrecht
Rep. P. Arent
Rep. W. Brooks
Rep. S. Chew
Rep. S. Christiansen
Rep. K. Christofferson
Rep. J. Ferry
Sen. D. Hinkins
Sen. D. Kitchen
Rep. C. Moss
Sen. R. Okerlund
Rep. M. Poulson
Sen. S. Sandall
Rep. J. Stenquist
Rep. K. Stratton
Sen. R. Winterton

Chair Albrecht adjourned the meeting at 4:00 p.m.