

54-1-3 Transaction of business by commissioners -- Quorum -- Proceedings by less than majority or administrative law judge -- Effect of actions.

- (1) A majority of the commissioners shall constitute a quorum for the transaction of any business, for the performance of any duty or for the exercise of any power of the commission. Any action taken by a majority of the commission shall be considered the action of the commission. Any vacancy in the commission shall not impair the right of the remaining commissioners to exercise all the powers of the commission so long as a majority of the commission remains. The commission may hold hearings at any time or place within or without the state.
- (2)
 - (a) The following proceedings shall be heard by at least a majority of the commissioners:
 - (i) general rate proceedings to establish rates for public utilities which have annual revenues generated from Utah utility service in excess of \$200,000,000; or
 - (ii) any proceeding which the commission determines involves an issue of significant public interest.
 - (b) If a commission proceeding requiring a majority has commenced and the unavoidable absence of one or more commissioners results in less than a majority being available to continue the proceeding, the proceeding may continue before a single commissioner or specified administrative law judge only upon agreement of the involved public utility and, if it is a party, the Division of Public Utilities.
- (3) Any other investigation, inquiry, hearing or proceeding which the commission has power to undertake may be conducted before less than a majority of the commission or before an administrative law judge appointed by the commission.
- (4) All proceedings conducted before less than a majority of the commission or before an administrative law judge shall be considered proceedings of the commission and the findings, orders, and decisions made by less than a majority of the commission or by an administrative law judge, when approved and confirmed by the commission and filed in its office, shall be considered findings, orders, and decisions of the commission and shall have the same effect as if originally made by the commission.

Amended by Chapter 306, 2007 General Session