

## Part 2 Organization

### **54-10a-201 Office of Consumer Services -- Director.**

- (1) There is created within the Department of Commerce the "Office of Consumer Services."
- (2)
  - (a) The governor shall appoint, with the concurrence of the Committee of Consumer Services and the consent of the Senate, a qualified person in the field of public utilities to be the director of the office.
  - (b) The director shall serve for a term of six years.
  - (c) For purposes of the individual who is the director on May 12, 2009, that individual's six-year term is considered to begin on July 1, 2009.
  - (d) The governor may remove the director for cause.
- (3) In accordance with this chapter, the director shall on behalf of the office:
  - (a) represent residential consumers and small commercial consumers of an applicable public utility; and
  - (b) represent the interests of:
    - (i) residential consumers; and
    - (ii) small commercial consumers.

Renumbered and Amended by Chapter 237, 2009 General Session

### **54-10a-202 Committee of Consumer Services.**

- (1)
  - (a) There is created within the office a committee known as the "Committee of Consumer Services."
  - (b) A member of the committee shall maintain the member's principal residence within Utah.
- (2)
  - (a) The governor shall appoint nine members to the committee subject to Subsection (3).
  - (b) Except as required by Subsection (2)(c), as terms of current committee members expire, the governor shall appoint a new member or reappointed member to a four-year term.
  - (c) Notwithstanding the requirements of Subsection (2)(b), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of committee members are staggered so that approximately half of the committee is appointed every two years.
  - (d) When a vacancy occurs in the membership for any reason, the governor shall appoint a replacement for the unexpired term.
- (3) Members of the committee shall represent the following geographic and consumer interests:
  - (a) one member shall be from Salt Lake City, Provo, or Ogden;
  - (b) one member shall be from a city other than Salt Lake City, Provo, or Ogden;
  - (c) one member shall be from an unincorporated area of the state;
  - (d) one member shall be a low-income resident;
  - (e) one member shall be a retired person;
  - (f) one member shall be a small commercial consumer;
  - (g) one member shall be a farmer or rancher who uses electric power to pump water in the member's farming or ranching operation;
  - (h) one member shall be a residential consumer; and

- (i) one member shall be appointed to provide geographic diversity on the committee to ensure to the extent possible that all areas of the state are represented.
- (4)
- (a) No more than five members of the committee shall be from the same political party.
  - (b) Subject to Subsection (3), for a member of the committee appointed on or after May 12, 2009, the governor shall appoint, to the extent possible, an individual with expertise or experience in:
    - (i) public utility matters related to consumers;
    - (ii) economics;
    - (iii) accounting;
    - (iv) financing;
    - (v) engineering; or
    - (vi) public utilities law.
- (5) The governor shall designate one member as chair of the committee.
- (6) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
  - (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (7)
- (a) The committee may hold monthly meetings.
  - (b) The committee may hold other meetings, at the times and places the chair and a majority of the committee determine.
- (8)
- (a) Five members of the committee constitute a quorum of the committee.
  - (b) A majority of members voting when a quorum is present constitutes an action of the committee.

Amended by Chapter 286, 2010 General Session

**54-10a-203 Attorney general to represent office.**

- (1) The attorney general shall assign at least one attorney to the office to represent the office.
- (2) An attorney assigned to the office under Subsection (1) shall represent the office at a hearing or other proceeding affecting the services, rates, or charges of an applicable public utility.
- (3) An attorney assigned to the office may prosecute an action that the office considers necessary to enforce the rights of residential consumers and small commercial consumers of an applicable public utility.

Renumbered and Amended by Chapter 237, 2009 General Session