

### **Part 3 Powers and Duties of Office**

#### **54-10a-301 Powers and duties of office.**

- (1) The office shall:
  - (a) assess the impact of utility rate changes and other regulatory actions related to an applicable public utility on:
    - (i) residential consumers; and
    - (ii) small commercial consumers;
  - (b) assist a residential consumer or a small commercial consumer in appearing before the commission; and
  - (c) through its director, advocate, on the office's own behalf and in its own name, a position most advantageous to:
    - (i) residential consumers; and
    - (ii) small commercial consumers.
- (2)
  - (a) The director may bring an original action in the name of the office before:
    - (i) the commission; or
    - (ii) a court having appellate jurisdiction over an order or decision of the commission.
  - (b) The director on behalf of the office may:
    - (i) commence an original proceeding, file a complaint, appear as a party, appeal, or otherwise represent residential consumers or small commercial consumers in a matter or a proceeding involving regulation of an applicable public utility pending before one or more of the following of the federal government:
      - (A) an officer, department, board, agency, commission, or governmental authority; or
      - (B) a court; or
    - (ii) intervene in, protest, resist, or advocate the granting, denial, or modification of a petition, application, complaint, or other proceeding, decision, or order of a governmental authority of the federal government.

Renumbered and Amended by Chapter 237, 2009 General Session

#### **54-10a-302 Powers of committee.**

By a majority vote of a quorum of the committee, the committee may:

- (1) advise the director as to a duty or power of the office under Section 54-10a-301; and
- (2) give direction to the director on a policy objective related to a duty or power of the office under Section 54-10a-301 that serves the needs of residential consumers and small commercial consumers.

Enacted by Chapter 237, 2009 General Session

#### **54-10a-303 Representation of municipal electrical energy utility prohibited.**

The office, director, or committee may not represent, assist, or be an advocate on behalf of a municipality, as defined in Section 10-1-104, that generates, transmits, or distributes electrical energy.

Renumbered and Amended by Chapter 237, 2009 General Session

