

**MINUTES OF THE SENATE  
TRANSPORTATION & PUBLIC UTILITIES & TECHNOLOGY  
STANDING COMMITTEE  
FRIDAY, JANUARY 21, 2005, 8:00 A.M.  
ROOM W020, WEST OFFICE BUILDING  
STATE CAPITOL COMPLEX**

Members Present: Sen. Sheldon Killpack, Chair  
Sen. Curtis Bramble  
Sen. Scott Jenkins  
Sen. Carlene Walker  
Sen. Karen Hale  
Sen. Ed Mayne

Staff Present: Rich North, Policy Analyst  
Karen Allred, Secretary

Public Speakers Present: Ric Campbell, Public Service Commission  
Olivia Smith, Committee of Consumer Services  
Lyle Williamson, Director, State Government Relations, MCI  
Betsy Wolf, Advocate, Salt Lake Community Action Program  
Jerry Fenn, President, Qwest Communication, Utah  
Rodney G, Marrelli, Executive Director, Tax Commission  
Scott Gutting, Executive Director, Utah Energy Users Association  
Kelly Francone, Utility Analyst, Committee of Consumer Services  
John Stewart, Utah Power  
Francine Giani, Director, Consumer Protection  
Thad LeVar, Division of Consumer Protection  
Rob Ence, State Director, AARP Utah  
Laura Polacheck, Associate Director, AARP Utah

A list of visitors and a copy of handouts are filed with the committee minutes.

Committee Chair Killpack called the meeting to order at 8:10 a.m.

**MOTION:** Sen. Walker moved to approve the minutes of January 19, 2005.

The motion passed unanimously with Sen. Jenkins and Sen. Hale absent for the vote.

**1. S.B. 108 Telecommunications Revisions C. Bramble)**

**MOTION:** Sen. Bramble moved to adopt **1st Sub. S.B. 108.**

The motion passed unanimously.

The following amendments were proposed:

1. Page 4, line 107                      After "services;" delete "and"
2. Page 4, line 108                      After "commission" delete ";"  
  Insert "; and"
3. Page 4, line 108                      After line 108, insert "(m) no feature."

**MOTION:** Sen. Hale moved to adopt the amendments.

The motion passed unanimously.

Ric Campbell, Public Service Commission, Lyle Williamson, Director, State Government Relations, MCI, and Betsy Wolf, Advocate, Salt Lake Community Action Program, spoke to the bill.

Olivia Smith, Committee of Consumer Services and Jerry Fenn, President, Quest Communications, Utah, spoke in support of the bill.

**MOTION:** Sen. Bramble moved to pass **1st Sub. S.B. 108** out favorably as amended.

The motion passed unaimously.

Sen. Walker assumed the Committee Chair.

**2. S.B. 98 Motor Vehicle Registration and Title Amendments (S. Killpack)**

Sen. Killpack explained the bill.

Rodney G. Marrelli, Executive Director, Utah Tax Commission further clarified the bill and answered questions from the committee.

**MOTION:** Sen. Hale moved to pass the bill out favorably.

The motion passed with Sen. Killpack, Sen. Walker, Sen. Hale and Sen. Mayne voting in support of the bill, Sen. Jenkins voting in opposition, and Sen. Bramble absent for the vote.

Committee Chair Killpack resumed the Chair.

**3. S.B. 4 Uninsured Motorist Property Damage Coverage Amendments (D. Eastman)**

Sen. Eastman explained the bill.

**MOTION:** Sen. Mayne moved to pass the bill out favorably.

The motion passed with Sen. Bramble absent for the vote.

**4. S.B. 26 Public Utilities Amendments (G. Bell)**

Sen. Bell explained the bill assisted by Rep. Sheryl Allen.

**MOTION:** Sen. Mayne moved to adopt **1st. Sub. S.B. 26.**

The motion passed unanimously.

The following amendments were distributed:

*1. Page 19, Lines 559 through 567:*

559           (2) (a) "Resource decision" means a decision, other than a decision to construct  
or acquire  
560 a significant energy resource, involving:  
561           ~~{(a)}~~ (i) an energy utility's acquisition, management, or operation of  
energy production,  
562 processing, transmission, or distribution facilities or processes including:  
563           ~~{(i)}~~ (A) a facility or process for the efficient, reliable, or safe provision of  
energy to retail  
564 customers; or  
565           ~~{(ii)}~~ (B) an energy efficiency and conservation program; or  
566           ~~{(b)}~~ (ii) a decision determined by the commission to be appropriate for  
review under this  
567 part.

**(b) The commission may adopt rules in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, to specify the nature of resource decisions subject to approval under Section 54-17-402.**

**MOTION:** Sen. Jenkins moved to adopt the amendments.

The motion passed unanimously.

Scott Gutting, Executive Director, Utah Energy Users Association, Kelly Francone, Utility Analyst, Committee of Consumer Services and John Stewart, Utah Power, spoke in support of the bill.

**MOTION:** Sen. Mayne moved to pass 1st Sub. S.B. 26 out favorably as amended.

The motion passed un unanimously.

**5. S.B. 84 Do Not Call Registry Amendments (D. Thomas)**

Sen. Thomas presented the bill.

Francine Giani, Utah Director, Consumer Protection, spoke in opposition to the bill.

Sen. Bramble assumed the Committee Chair.

Thad LeVar, Division of Consumer Protection, Rob Ence, State Director, AARP Utah and Laura Polacheck, Associate Director, AARP Utah spoke in opposition to the bill.

**MOTION:** Sen. Walker moved to adjourn.

The motion passed with Sen. Killpack absent for the vote.

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Sen. Sheldon L. Killpack, Committee Chair