

**PUBLIC UTILITIES AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kevin T. Van Tassell**

House Sponsor: Ken Ivory

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to an agreement between an electrical corporation and a municipality.

**Highlighted Provisions:**

This bill:

- ▶ requires the Public Service Commission to post public notice of an agreement it reviews between an electrical corporation and a municipality; and
- ▶ requires the Public Service Commission to, except under certain conditions, accept, within a certain time, an agreement between an electrical corporation and a municipality.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**54-4-40**, as enacted by Laws of Utah 2013, Chapter 242

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **54-4-40** is amended to read:



28           **54-4-40. Approval of certain agreements between an electrical corporation and**  
29 **municipality.**

30           (1) The commission shall review an agreement entered into between an electrical  
31 corporation and a municipality if the electrical corporation is required to obtain commission  
32 approval in accordance with Section 10-8-14, 54-3-30, or 54-3-31.

33           (2) The requirements of Subsection (1) do not confer jurisdiction on the commission to  
34 regulate any electric service provided by a municipality.

35           ~~[(3) Unless the commission determines that additional time is warranted and is in the~~  
36 ~~public interest, no]~~

37           ~~[later than 120 days after the day on which an application to approve an agreement~~  
38 ~~described in Subsection (1) is filed by an electrical corporation, the commission shall:]~~

39           ~~[(a) approve the agreement;]~~

40           ~~[(b) approve the agreement subject to conditions imposed by the commission; or]~~

41           ~~[(c) reject the agreement.]~~

42           (3) The commission shall provide public notice of an agreement described in  
43 Subsection (1) no later than three business days after the day on which the commission receives  
44 an application to approve the agreement.

45           (4) An agreement described in Subsection (1) is approved 20 days after the day on  
46 which the commission posts the notice described in Subsection (3) unless, before the  
47 agreement is approved:

48           (a) the commission:

49           (i) determines that additional time is warranted and in the public interest; and

50           (ii) notifies the parties to the agreement of the commission's determination; or

51           (b) a person that the agreement affects submits a request to the commission, in writing,

52 that the commission:

53           (i) hold a public hearing regarding the agreement; or

54           (ii) provide additional time for the person to investigate the agreement.

**Legislative Review Note**  
as of 1-20-15 2:00 PM

**Office of Legislative Research and General Counsel**