



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 8, 2016

Mr. Speaker:

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 244**, INDEPENDENT ENERGY PRODUCER AMENDMENTS, by Representative F. Gibson, with the following amendments:

1. *Page 12, Line 358 through Page 13, Line 375:*

- 358 (2) An independent energy producer is exempt from regulation by the commission
as a
359 public utility for an independent power production facility if the independent energy
producer
360 produces a commodity or delivers a service:
361 (a) solely for the use of a state-owned facility;
362 (b) not for sale to the public, without charge, solely for the use of:
363 (i) the independent energy producer;
364 (ii) an independent energy producer's tenant; or
365 (iii) an association of unit owners formed under Title 57, Chapter 8, Condominium
366 Ownership Act;
367 (c) for sale solely to an electrical corporation or other wholesale purchaser; **or**
368 (d) (i) for use by:
369 (A) an entity the independent energy producer controls, is controlled by, or is an
370 affiliate of; or
371 (B) a user located on real property that the independent energy producer manages or
372 controls; and
373 (ii) for use on real property that is contiguous to, or is separated only by a public

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road
374 or easement from, real property that the independent energy producer owns or
controls {~~or~~} ;
375 {~~(e) to a customer in an area served by an entity that is not regulated by the~~
~~commission.~~}

Respectfully,

Ken Ivory
Committee Chair

Voting: 11-0-0

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