

**MINUTES OF THE HOUSE  
PUBLIC UTILITIES & TECHNOLOGY STANDING COMMITTEE  
Room 450, Capital Building  
February 8, 2016**

**Members Present:** Rep. Ken Ivory, Chair  
Rep. Steve G. Handy, Vice Chair  
Rep. Patrice M. Arent  
Rep. Scott H. Chew  
Rep. Kay J. Christofferson  
Rep. Brad L. Dee  
Rep. Rebecca P. Edwards  
Rep. Keith Grover  
Rep. Lynn N. Hemingway  
Rep. Keven J. Stratton  
Rep. Earl D. Tanner

**Staff Present:** Mr. Adam J. Sweet, Policy Analyst  
Ms. Sandra Hash, Committee Secretary

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

Vice Chair Handy called the meeting to order at 4:00 p.m.

**MOTION:** Rep. Hemingway moved to approve the minutes of the February 1, 2016 meeting. The motion passed unanimously with Rep. Edwards and Rep. Stratton absent for the vote.

**S.B. 34S01 Sewer Lateral Disclosures (*Sen. K. Mayne*)**

Sen. Mayne explained the bill to the committee with the assistance of LeGrand Bitter, Utah Association of Special Districts.

**MOTION:** Rep. Arent moved to pass the bill out favorably. The motion passed unanimously with Rep. Edwards and Rep. Stratton absent for the vote.

**MOTION:** Rep. Christofferson moved to place S.B. 34S01 on the Consent Calendar. The motion passed unanimously with Rep. Edwards and Rep. Stratton absent for the vote.

**H.B. 145 Municipal Energy Tax Rate Amendments (*Rep. S. Handy*)**

This bill was not considered at the request of the sponsor.

**H.B. 244 Independent Energy Producer Amendments (Rep. F. Gibson)**

Rep. Gibson explained the bill to the committee with the assistance of Steve Mecham, General Counsel, Vivint Solar, and Erica Dahl, Lobbyist, Vivint Solar.

**MOTION:** Rep. Arent moved to amend the bill as follows:

*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  
          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.}

The motion passed unanimously with Rep. Stratton absent for the vote.

Spoke for the bill: Alan Nomand, citizen

Spoke to the bill:     Roger Chew, Utah League of Cities and Towns  
                          Jeff Hartley, Rocky Mountain Power  
                          Mike Peterson, Utah Rural Electric Cooperatives

**MOTION:**     Rep. Grover moved to pass the bill out favorably as amended. The motion passed unanimously.

**MOTION:**     Rep. Hemingway moved to adjourn. The motion passed unanimously.

Vice Chair Rep. Handy adjourned the meeting at 5:21 p.m.

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Ken Ivory, Chair