

PUBLIC SERVICE COMMISSION AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carl R. Albrecht

Senate Sponsor: _____

LONG TITLE

General Description:

This bill requires project entities to file information with the Public Service Commission.

Highlighted Provisions:

This bill:

- ▶ describes the information that project entities are required to file with the Public Service Commission;
- ▶ requires the Public Service Commission to make the information that project entities are required to file available to the public; and
- ▶ establishes that a failure of a project entity to comply with the filing requirements is a violation of Title 54.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

54-7-27, Utah Code Annotated 1953

ENACTS:

11-13-317, Utah Code Annotated 1953



28 [54-7-7.5](#), Utah Code Annotated 1953



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

31 Section 1. Section **11-13-317** is enacted to read:

32 **11-13-317. Filing with the Public Service Commission.**

33 (1) On or before July 1 each year, a project entity shall file with the Public Service
34 Commission, established in Section [54-1-1](#):

35 (a) a copy of the project entity's financial information;

36 (b) a list of the project entity's financing sources, including:

37 (i) current bond issuances; and

38 (ii) future planned bond issuances;

39 (c) a statement describing the project entity's wholesale rates, including:

40 (i) a description of how those rates vary from the project entity's rates the previous
41 year; and

42 (ii) wholesale rates charged to subscribers; and

43 (d) a statement describing the previous fiscal year's current annual power sales, broken
44 down by entity, including:

45 (i) the amount of power sold;

46 (ii) the net revenues from power sales; and

47 (iii) the gross revenues from power sales.

48 (2) Nothing in this section expands or diminishes the jurisdiction of the Public Service
49 Commission over a municipality or an association of municipalities organized under this
50 chapter except as specifically authorized by this section's language.

51 (3) A project entity's failure to comply with this section is a violation of Title 54,
52 Public Utilities, by a corporation other than a utility, as described in Section [54-7-27](#).

53 Section 2. Section **54-7-7.5** is enacted to read:

54 **54-7-7.5. Filing of project entities.**

55 (1) As used in this section, "project entity" means the same as that term is defined in
56 Section [11-13-103](#).

57 (2) The commission shall make the filings described in Section [11-13-17](#) available for
58 public inspection.

59 (3) A project entity may not request the commission to treat as confidential the
60 information required in a filing described in Section 11-13-17.

61 (4) The commission may make rules regarding the administration of the filings
62 described in Section 11-13-17.

63 Section 3. Section **54-7-27** is amended to read:

64 **54-7-27. Violations by corporations other than utilities -- Penalty.**

65 (1) Every corporation, other than a public utility, which violates any provision of this
66 title, or which fails to obey, observe or comply with any order, decision, rule, direction,
67 demand or requirement, or any part or provision thereof, of the commission, in a case in which
68 a penalty has not hereinbefore been provided for such corporation, is subject to a penalty of not
69 less than \$500 nor more than \$2,000 for each and every offense.

70 (2) For purposes of this section and of Section 54-7-7.5, "corporation" includes
71 "project entity" as that term is defined in Section 11-13-17.