

491 (b) A party may submit evidence in a commission proceeding to challenge the
 492 reasonableness of the affected electrical utility's operating costs.

493 (c) If an affected electrical utility's operating costs are unchallenged or the commission
 494 determines after a commission proceeding that a challenging party has failed to demonstrate
 495 that the affected electrical utility's operating costs are not reasonable, the affected electrical
 496 utility is entitled to recover operating costs associated with a proven dispatchable generation
 497 resource in rates.

498 (d) If the commission determines, after hearing evidence from a challenging party, that
 499 the affected electrical utility's operating costs are not reasonable, the commission shall establish
 500 reasonable rates that allow the affected electrical utility to recover only reasonable operating
 501 costs associated with a proven dispatchable generation resource.

502 (6) (a) Upon filing of a request for recovery under this section from an affected
 503 electrical utility that is expected to result in a rate increase, the commission shall provide a
 504 written notice of the request to the Executive Appropriations Committee and the Public
 505 Utilities, Energy, and Technology Interim Committee.

506 (b) Upon receiving the notice described in Subsection (6)(a), the Executive
 507 Appropriations Committee may review the affected utility's request for cost recovery and
 508 determine whether to direct committee staff, ~~it~~ ~~to~~ ~~the~~ ~~division,~~ ~~or~~ ~~an~~ ~~otherwise~~ ~~qualified~~ ~~third~~
 508a party
 509 to intervene and advocate on behalf of the Legislature.

510 Section 9. Section **54-24-301** is enacted to read:

511 **Part 3. Utah Fire Fund**

512 **54-24-301. Utah fire funds -- Creation -- Sources of funding.**

513 (1) As used in this part:

514 (a) (i) "Eligible payment" means an amount owed by a large-scale electric utility to a
 515 third party in the state that exceeds the large-scale electric utility's applicable insurance
 516 coverage, including self-insurance.

517 (ii) "Eligible payment" includes amounts owed as a result of:

518 (A) a settlement agreement resolving economic damages arising out of a fire claim; or

519 (B) economic damages awarded in a finally adjudicated fire claim.

520 (iii) "Eligible payment" does not include an amount for damages to infrastructure
 521 owned by a large-scale electric utility caused by a fire event.