EXHIBIT 6
DATE 2-2-05
HB HB 388

# Summary Table of House Bill 474 Elements and TAC Actions to Date

| Elements of House Bill 474 | TAC Action on Each Element | Potential TAC Implementation of Action |
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| (1) **Montana In- State Investment in Electrical Generation Facilities:**<br>➪ Created a program to provide low-interest loans through the Montana In-State Investment Act of 1983, with certain conditions, to create up to 450 megawatts from the construction of new generation projects in Montana and allows the purchase of up to 120 megawatts from existing qualifying facilities. | (April 26, 2002 TAC Meeting) The TAC recommends that the Montana In-State Investment in Electrical Generation Facilities Act (17-6-301 through 17-6-331, MCA) be repealed. | None needed. Rejection of 474 by the voters repealed this Act. |
| (2) **Transition Period:**<br>➪ Extended the transition period for customer choice to July 1, 2007 (previously July 1, 1998, through June 30, 2002). It also eliminated the authority of the Public Service Commission (PSC) to extend the transition period. | (April 26, 2002 TAC Meeting) The TAC endorses the existing transition period for customer choice for the period of July 1, 2002 through July 1, 2007. | None needed. Note that the transition period through July 1, 2007 is also contained in Senate Bill 19. |
| (3) **Default Supply:**<br>➪ Distribution services provider was statutorily designated as the customer's default supplier.<br>➪ Clarified that the distribution services provider has an ongoing regulated default supply obligation beyond the end of the transition period.<br>➪ Customers that previously elected an alternative electrical energy supplier were allowed to receive electrical energy from the default supplier.<br>➪ Eliminated the authority of the PSC to designate and license one or more default suppliers. | (April 26, 2002 TAC Meeting) The TAC recommends that a large industrial customer have the option to move in and out of the default supply load as currently outlined in House Bill 474 and the subsequent PSC rules. The TAC also recommends that the National Conference of State Legislatures (NCSL) analyze default supply issues. | Request legislation to reinstate the provisions related to default supply and large customers. Wait for NCSL to provide the TAC with recommendations on default supply issues. |
| (4) **Transition to Customer Choice:**<br>➪ Required the PSC to establish procedures and terms under which customers (both large and small) may choose an electricity supplier other than the default suppliers. | No TAC action on this item to date. | |
| (5) **Recovery of Electricity Supply Costs:**<br>➪ Generally allowed default supplier to recover all statutorily defined electricity supply costs, subject to a prudence test by the PSC. | No TAC action on this item to date. | |

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| (6) | **Procurement Process of Electricity Supply:**<br>⇨ The default supplier was required to provide for the full electricity supply requirements of all default supply customers.<br>⇨ The default supplier was required to procure a portfolio of electricity supply using industry-accepted procurement practices, which may include negotiated contracts for competitive bidding.<br>⇨The PSC was allowed to develop reasonable requirements for the use of competitive bidding in the procurement process.<br>⇨ The default supplier was allowed to submit material related to proposed bids or contracts concerning electricity supply to the PSC before the default supplier enters into the contract and the PSC may comment on the material.<br>⇨ In reviewing electricity supply contracts, the Commission was required to consider only those facts that were known or should reasonably have been known by the default supplier at the time the contract was entered into and that would have materially affected the cost or reliability of the electricity supply to be procured.<br>⇨ A public utility was required to offer its customers an opportunity to purchase a separately marketed product composed of power from renewable resources. | No TAC action on this item to date. | |
| (7) | **Universal System Benefits Programs:**<br>⇨ Extended the duration of the universal system benefits programs (USBP).<br>⇨ Required that 6% of the USBP funds be spent on irrigated agriculture energy conservation and efficiency programs for those utilities that have filed a transition plan.<br>⇨ Clarified the definition of "universal" system benefits programs" to include irrigated agriculture. | (April 26, 2002 TAC Meeting) If voters in November 2002 reject House Bill 474, the TAC recommends continuation of the statutory extension of the USBP. | Request legislation to extend USBP date. |

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| (8) | **Montana Power Authority:**<br>⇨ The Montana Power Authority was authorized to purchase, construct, and operate electrical generation facilities or electrical energy transmission or distribution systems and to enter into joint ventures for these purposes. The Board of Examiners was authorized to issue revenue bonds for the Montana Power Authority (not to exceed $500 million). | (April 26, 2002 TAC Meeting) The TAC recommends repealing the Montana Power Authority (69-9-101 through 69-9-115, MCA). | None needed. Rejection of 474 by the voters repealed the Montana Power Authority. |
| (9) | **Consumer Electricity Support Program:**<br>⇨ Created a program to provide an affordable and reliable electricity supply from July 1, 2002, through June 30, 2007, to default supply customers. The consumer electricity support program included financial support from the State of Montana or the assignment of electricity supply from electricity suppliers, electricity from the electrical energy pool, government power authorities, qualifying facilities, or other sources. In the event that an excess revenue tax were to be imposed, up to $100 million could be used to provide an affordable and reliable electricity supply to customers of the default supplier. | (April 26, 2002 TAC Meeting) The TAC recommends repealing the Consumer Electricity Support Program (69-8-701, MCA). | None needed. Rejection of 474 by the voters repealed the Consumer Electricity Support Program. |
| (10) | **Montana Electric Buying Cooperative:**<br>⇨ Eliminated the authority for the buying cooperative to be designated as a default supplier. Clarified that the purpose of the buying cooperative is to be an energy supplier and that the cooperative could serve as a supplier or promoter of alternative energy and conservation programs. It repealed the PSC's jurisdiction to regulate the buying cooperative as a default supplier. | (April 26, 2002 TAC Meeting) The TAC recommends that the language in House Bill 474 eliminating the authority of the Montana Electric Buying Cooperative to be designated as a default supplier be retained. | Request legislation to eliminate the statutory authority of the Montana Electric Buying Cooperative to be designated as a default supplier. |

The TAC also recommended at its April 26, 2002, meeting that the rural electric cooperative laws remain unchanged in relation to Electric Industry Restructuring issues.

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