

HOUSE BILL NO. 78

INTRODUCED BY Z. PERRY

BY REQUEST OF THE ENERGY AND TELECOMMUNICATIONS INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING PUBLIC HEARING REQUIREMENTS FOR UTILITY RESOURCE PLANNING AND PROCUREMENT; REQUIRING UTILITIES TO HOLD PUBLIC MEETINGS WHEN DEVELOPING RESOURCE PLANS; AMENDING SECTIONS 69-3-1205 AND 69-8-420, MCA; AND PROVIDING AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 69-3-1205, MCA, is amended to read:

**"69-3-1205. Public comment -- public meetings.** (1) When developing a plan in accordance with this part and prior to submitting a plan to the commission, a public utility shall hold no less than two public meetings in the utility's service territory to ensure a plan best meets the diverse goals of shareholders, ratepayers, and society. At least one public meeting must be held in the utility's Montana service territory.

~~(1)(2)~~ The After a plan is submitted, the commission shall conduct a public meeting for the purpose of receiving comment on a plan. The commission or the department of public service regulation may comment on the plan. A comment by the commission or the department may not be construed as preapproval by the commission of rate treatment for any proposed resource.

~~(2)(3)~~ The department of environmental quality:

(a) shall review a plan submitted to the commission and comment on the need for new resources, the alternatives evaluated to meet the need, the environmental implications of the resource choices, and other related issues that it considers important. The department shall coordinate and deliver all comments from other executive branch agencies.

(b) may use a plan in the development of studies for a specific energy facility for which an application for a certificate of compliance is submitted under Title 75, chapter 20.

~~(3)(4)~~ The consumer counsel shall review and may comment on a submitted plan."

**Section 2.** Section 69-8-420, MCA, is amended to read:



