

HOUSE BILL NO. 85

INTRODUCED BY B. TSCHIDA

BY REQUEST OF THE PUBLIC SERVICE COMMISSION

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING UTILITY COST TRACKING AND RECOVERY LAWS; CLARIFYING COMMISSION APPROVAL OF COST-TRACKING ADJUSTMENTS FOR ELECTRICITY SUPPLY COSTS; AMENDING SECTION 69-3-331, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 69-3-331, MCA, is amended to read:

"69-3-331. Cost tracking and recovery. (1) If the commission approves a cost-tracking adjustment for electricity supply costs for a public utility regulated in accordance with chapter 8 or under this chapter, the cost-tracking adjustment must provide for:

(a) identical treatment of public utilities subject to chapter 8 or this chapter;

(b)(a) 90% customer and 10% shareholder sharing of costs, if cost sharing is required; and

(c)(b) full recovery of costs incurred by a public utility as a result of qualifying small power production facility purchase requirements established in Title 69, chapter 3, part 6.

(2) A cost-tracking adjustment may not include a deadband.

(3) For the purposes of this section, "deadband" means a level of cost recovery variance, including levels of underrecoveries and overrecoveries to be borne by the public utility."

NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

- END -