

1 HOUSE BILL NO. 182

2 INTRODUCED BY L. BISHOP

3 BY REQUEST OF THE ENERGY AND TELECOMMUNICATIONS INTERIM COMMITTEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING PUBLIC UTILITY ELECTRICITY COST RECOVERY;
6 REQUIRING A DEADBAND; AMENDING SECTION 69-3-331, MCA; AND PROVIDING AN IMMEDIATE
7 EFFECTIVE DATE."

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

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

12 **"69-3-331. Cost tracking and recovery.** ~~(1) If the commission approves a cost-tracking adjustment~~
13 ~~for a public utility regulated in accordance with chapter 8 or under this chapter, the cost-tracking adjustment~~
14 ~~must provide for:~~

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

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

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

19 ~~(2)(1)~~ A cost-tracking adjustment approved by the commission must ~~may not~~ include a deadband of
20 an equal amount above and below a power costs and credits adjustments mechanism base, not to exceed 5%.

21 ~~(3)(2)~~ For the purposes of this section, "deadband" means a level of cost recovery variance, including
22 levels of underrecoveries and overrecoveries to be borne by the public utility."

23
24 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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