

Unofficial Draft Copy

As of: May 30, 2018 (10:15am)

LCIRP2

**** Bill No. ****

Introduced By *****

By Request of the *****

REVISED DRAFT FOR DISCUSSION PURPOSES ONLY (JULY VERSION)

A Bill for an Act entitled: "An Act revising public hearing requirements for utility resource planning and procurement plans; 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.

~~(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."

{Internal References to 69-3-1205: None.}

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

"69-8-420. Electricity supply resource procurement plans -- comment on plans. (1) (a) The public utility shall develop electricity supply resource procurement plans.

(b) The plans must be submitted to the commission at intervals determined in rules adopted by the commission.

(2) An electricity supply resource procurement plan must demonstrate the public utility's achievement of the objectives provided in 69-8-419 and compliance with commission rules.

(3) The commission shall:

(a) review the electricity supply resource procurement plan;

(b) provide an opportunity to the public to comment on the plan in accordance with ~~subsection~~ subsections (4) and (5); and

(c) issue written comments within 9 months after the plan is submitted to the commission that identify:

(i) any concerns of the commission regarding the public utility's compliance with commission rules; and

(ii) ways to remedy any concerns.

(4) When developing electricity supply resource procurement plans in accordance with subsection (1)(a) and prior to submitting a plan to the commission in accordance with subsection (1)(b), a public utility shall hold no less than two public meetings in the utility's service territory to gather input to mitigate risk and optimize resource procurement outcomes consistent with the objectives provided in 69-8-419 and commission rules.

~~(4)(5)~~ The After a plan is submitted, the commission shall hold ~~two a public meetings~~ meeting in an area of the state encompassed by the plan.

(6) Notice of the meetings required in accordance with subsections (4) and (5) must be published once a week for 2 consecutive weeks in a newspaper of general circulation at least 30 days prior to each meeting."

{Internal References to 69-8-420: None.}

NEW SECTION. **Section 3. {standard} Applicability.** [This act] applies to electricity supply resource planning and procurement plans and integrated least-cost resource plans submitted on or after [the effective date of this act].

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