

Unofficial Draft Copy

As of: April 26, 2018 (11:24am)

LCGAS4

**** Bill No. ****

Introduced By *****

By Request of the *****

Bill draft for discussion purposes only

A Bill for an Act entitled: "An Act requiring a utility to conduct a study of natural gas customer choice; allowing a utility to recover costs; providing study criteria; providing deadlines; amending section 69-3-1403, MCA; and providing effective dates."

Be it enacted by the Legislature of the State of Montana:

NEW SECTION. **Section 1. Natural gas customer choice study.**

(1)(a) Before July 31, 2020, a public utility as described in 69-8-201(4)(a) shall conduct a study of natural gas customer choice, considering the following:

(i) measurable rate impacts to customers;

(ii) actual utility costs incurred as a result of potentially allowing customer choice;

(iii) prevalence of consumer protection cases related to customer choice; and

(iv) the effectiveness of current Montana customer choice consumer protection standards.

(b) The utility shall submit the study to the public service commission for the purpose of making a determination in accordance with [69-3-1403].

(2) The utility may engage independent consultants or

advisory services to complete the study. Costs are recoverable in rates.

(3) The commission may establish minimum information required for inclusion in a study conducted by a utility in accordance with subsection (1).

Section 2. Section 69-3-1403, MCA, is amended to read:

"69-3-1403. Customer choice. ~~A~~(1) Except as provided in subsection (2), a natural gas utility may voluntarily offer its customers choice of natural gas supplier and provide open access to its transmission facilities, storage facilities, or distribution facilities.

(2) After reviewing a study completed in accordance with [section 1], the public service commission may require a natural gas utility that has not provided customer choice in accordance with subsection (1) to offer its customers the choice of natural gas supplier and, if necessary, provide open access to its transmission facilities, storage facilities, and distribution facilities if it determines customer choice is in the public interest.

~~(2)~~(3) If a customer choice offering results in transition costs, the commission may allow those transition costs to be recovered in separate identifiable charges to customers. Upon commission approval, the natural gas utility must have the opportunity but not the obligation to may finance the fixed transition costs and related financing costs using transitioncost financing as provided for in 69-8-1503 and 69-8-503."

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{*Internal References to 69-3-1403 (x):*
69-3-1402 (x) 69-3-1414 (x)}

NEW SECTION. **Section 3. {standard} Effective dates. (1)**

[Section 1] and this section are effective on passage and approval.

(2) [Section 2] is effective upon a public service commission filing on the determination that choice is in the public interest.

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