

1 **** BILL NO. ****

2 INTRODUCED BY ****

3 BY REQUEST OF THE ****

4
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; PROVIDING AN IMMEDIATE
7 EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
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 percent.

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

24
25 NEW SECTION. **Section 2. {standard} Effective date.** [This act] is effective on passage and
26 approval.

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28 - END -