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Energy and Telecommunications Interim Committee

62nd Montana Legislature

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December 28, 2011

To: Energy and Telecommunications Interim Committee Members

From: Sonja Nowakowski, Research Analyst

Re: HB 142 requirements of ETIC

HB 142 requires the ETIC to review the statutorily established advisory councils and required reports of the Public Service Commission and to make recommendations to the next Legislature on retention or elimination of any advisory council or required report. At the January 13 meeting, ETIC staff will be seeking your direction on reporting requirements. Because there are only four reports, staff is requesting feedback on each requirement.

There are no advisory councils under the ETIC's purview. The PSC also is not required to provide any specific reports to the ETIC. However, there are a number of reports that the ETIC is required to review each interim.

USB Reports: 69-8-402, MCA.

Requires the ETIC to "review the universal systems benefits programs, and, if necessary, submit recommendations regarding these programs."

Public utilities and cooperative utilities are required to submit an annual summary report of universal system benefits programs to the ETIC and to the Department of Revenue for review.

Due: Before September 15 of the year preceding a legislative session. (You received this report at your November 2011 meeting.)

Geothermal Research: 90-3-1301, MCA.

Requires the Bureau of Mines and Geology, prior to each legislative session, to update the ETIC on geothermal research conducted by the Bureau and funding received by the Bureau for geothermal research.

Due: Prior to September 1 of even-numbered years. (Report planned for September meeting.)

Hydro Development: 85-1-501, MCA.
SB 327, 2011

Requires the Department of Natural Resources and Conservation, prior to the end of each

interim, to update the ETIC on studies it has done to review the economic and environmental feasibility of constructing and operating small-scale hydroelectric power generating facilities on each of the water projects under its control.

Due: Prior to September 1 of even-numbered years. (Report planned for September meeting.)

Energy Credits: 69-3-2009
SB 7, 2011

Requires a utility, a competitive electricity supplier, or an owner of an electrical generation facility to file a report with the ETIC each interim and the Department of Revenue annually concerning the purchase or sale of renewable energy credits within Montana. The ETIC reviews the reports and, if necessary, submits recommendations regarding the use of renewable energy credits in Montana.

Due: Before September 15 of the year preceding a legislative session. (First report due March 1, 2013)

Staff will be seeking recommendations from the committee on whether the reporting requirements should remain in statute or whether bill drafts to eliminate those reports should be pursued.

Based on your feedback, staff will prepare a report for the 63rd Legislative Session.

Sonja Nowakowski

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