

Unofficial Draft Copy

As of: April 16, 2018 (10:32am)

LCIRP1

**** Bill No. ****

Introduced By *****

By Request of the *****

DRAFT FOR DISCUSSION PURPOSES ONLY

A Bill for an Act entitled: "An Act requiring public utilities to establish advisory committees for resource planning; requiring the public service commission to approve committee membership; granting the public service commission rulemaking authority; and providing an immediate effective date."

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

NEW SECTION. **Section 1. Electricity supply resource planning -- advisory committee -- commission role.** (1) (a) A public utility shall maintain a broad-based advisory committee to review, evaluate, and make recommendations on technical, economic, and policy issues related to electricity supply resource portfolio planning, management, and procurement completed in accordance with 69-8-419 through 69-8-421.

(b) A public utility shall establish:

(i) membership terms for committee members; and

(ii) committee procedures and responsibilities.

(2) Within 30 days of establishing an advisory committee in accordance with subsection (1), a public utility shall submit the proposed membership to the public service commission.

(3) Within 60 days of receiving the proposed membership of an advisory committee established in accordance with subsection

(1), the commission shall:

- (a) approve the proposed membership; or
- (b) recommend alternative members or membership.

(4) Before January 1, 2020, the commission shall adopt rules establishing criteria for evaluating advisory committee membership.

(5) If a vacancy occurs on an advisory committee established in accordance with this section, the public utility may appoint a replacement and that appointee may serve the unexpired term.

NEW SECTION. Section 2. Integrated least-cost resource planning -- advisory committee -- commission role. (1) (a) A public utility shall maintain a broad-based advisory committee to review, evaluate, and recommend modifications to planning processes, resource plans, resource acquisition processes, and efficiency programs prepared in accordance with this part.

- (b) A public utility shall establish:
 - (i) membership terms for committee members; and
 - (ii) committee procedures and responsibilities.

(2) Within 30 days of establishing an advisory committee in accordance with subsection (1), a public utility shall submit the proposed membership to the public service commission.

(3) Within 60 days of receiving the proposed membership of an advisory committee established in accordance with subsection (1), the commission shall:

- (a) approve the proposed membership; or
- (b) recommend alternative members or membership.

(4) Before January 1, 2020, the commission shall adopt rules establishing criteria for evaluating advisory committee membership.

(5) If a vacancy occurs on an advisory committee established in accordance with this section, the public utility may appoint a replacement and that appointee may serve the unexpired term.

NEW SECTION. Section 3. {standard} Codification

instruction. (1) [Section 1] is intended to be codified as an integral part of Title 69, chapter 8, part 4, and the provisions of Title 69, chapter 8, part 4, apply to [section 1].

(2) [Section 2] is intended to be codified as an integral part of Title 69, chapter 3, part 12, and the provisions of Title 69, chapter 3, part 12, apply to [section 2].

NEW SECTION. Section 4. {standard} Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. Section 5. {standard} Effective date. [This act] is effective on passage and approval.

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