

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 554

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE PUBLIC UTILITIES COMMISSION; AMENDING CHAPTER 5, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-502C, IDAHO CODE, TO DEFINE TERMS, TO SPECIFY THE DISCLOSURE OF ELECTRICITY RATE IMPACTS ASSOCIATED WITH LARGE CAPITAL EXPENDITURES ANTICIPATED TO BE SUBMITTED TO THE PUBLIC UTILITIES COMMISSION FOR INCLUSION INTO RATES AND TARIFFS IN IDAHO; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 5, Title 61, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 61-502C, Idaho Code, and to read as follows:

61-502C. DISCLOSURE DURING CAPITAL PLANNING PROCESSES. (1) As used in this section:

(a) "Disclose" means to be clearly and expressly stipulated in a public record as defined in section 9-337, Idaho Code.

(b) "Large capital expenditure" means any investment by or on behalf of a public utility:

(i) For which the investor-owned utility intends to seek cost reimbursement and returns on capital in future proceedings before the Idaho public utilities commission; and

(ii) That, by itself or in aggregate with all other similar or dependent investments, constitutes an amount of investment which, as determined by the Idaho public utilities commission through rulemaking under chapter 52, title 67, Idaho Code, would have a significant impact on electricity rates and tariffs in Idaho.

(c) "Public Utility" means an investor-owned public utility as defined by section 61-129, Idaho Code, that engages in the sale of electricity in the state of Idaho.

(2) The legislature hereby finds that large capital investments by public utilities often become obligations anticipated to be collected from ratepayers and that disclosure of the proportion and size of any such investment anticipated to be reimbursed by ratepayers is necessary to judge whether said investment is in the ratepayers' best interest.

(3) In any planning process in which the Idaho public utilities commission engages wherein large capital expenditures by a public utility are proposed, the commission shall require the public utility to also disclose any impact on rates or tariffs anticipated over the planning period associated with that large capital expenditure.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.