



State of Utah

DEPARTMENT OF COMMERCE
Committee of Consumer Services

Minutes of the Meeting of the Committee of Consumer Services held at the Heber M Wells Building, Room #402, 160 East 300 South, Salt Lake City, Utah, on Wednesday, February 11, 2009

Members of the Committee in Attendance:

Franz Amussen
Roz McGee
Betsy Wolf
Kelly Casaday (via teleconference)
Andrew Riggle (via teleconference)

Staff in Attendance:

Michele Beck
Cheryl Murray
Ronnie Drake
Paul Proctor

Members of the Public in Attendance:

Barrie McKay, Questar

1. Welcome and Business

Kelly Casaday opened the meeting and welcomed those in attendance.

2. Minutes

Minutes are available from January 29th. Because there appears to have been a technical problem with the digital recording of that meeting, confidential minutes of the closed portion have also been prepared. Since some of the Committee members were participating via teleconference making it impossible to distribute the hardcopies of the confidential minutes, this agenda item was postponed until the next meeting.

3. Public Comment

No members of the public offered comment.

4. Legislation update

Michele Beck updated the Committee on the progression of legislation that had been discussed to date. She also noted the bills that had been introduced since the Committee's last discussion: HR3, HJR 12, SJR 16, HB 440, HB 190, HB 191. Also, she indicated that new boxcars were now numbered that she would be watching: HB420, BH332, BH430, SB249, SB70, HB412. There was also a report in the news about a potential bill that would lead to a moratorium on new power plants that she would be

watching for. Although SB 75 was still a boxcar, Michele noted that she had seen a confidential legislative counsel draft and had worked with Rocky Mountain Power and the other interested parties to ensure that the concepts, as negotiated, remained intact.

Michele Beck reported on meetings she had with legislators, including a lengthy one with Representative Dunnigan. Michele also reported that she continued work on new language for the Energy Efficiency resolution as well as some of the smaller bills on which the Committee had minor concerns.

Although language isn't released for SB214, Michele Beck indicated that she had met with Senator Valentine who stated his intentions to simply implement the recommendations from the audit. Specifically, he looked at the recommendations listed on page 21 of the audit itself: make the CCS an advisory board, revisiting the geographic requirements of the CCS, making the CCS an independent division within the Department of Commerce, and allowing the CCS to intervene in federal utility proceedings. The Committee members discussed their concerns about becoming an advisory board and plans to meet with Senator Valentine to share these concerns. Michele Beck indicated that she would be neutral on the question of the structure of the CCS (advisory or policy) but noted that the other proposed changes are positive.

5. Discussion of strategy in litigation pending before the Utah Public Service Commission: in Docket 08-035-38 (Rocky Mountain Power General Rate Case)

5a. Introduction of topics

Michele Beck reminded the Committee that direct testimony on the Revenue Requirement portion of the RMP rate case was being filed tomorrow. She also reminded them that the Rate of Return testimony had already been filed and that the Committee had begun to consider what to include in rebuttal testimony.

5b. Closed Meeting: Pursuant to Utah Code Section 52-4-205 (1)(c)

Franz Amussen made the motion to go into closed session at 1:25 and Betsy Wolf seconded the motion. The motion passed unanimously.

At 1:55 Franz Amussen made the motion to go back into open session and Betsy Wolf seconded the motion. The motion passed unanimously. The Committee was in closed session for approximately 30 minutes.

8b. Open Session and Hear Motions, if any.

No motions were made on these issues.

6. Other Business

The Committee noted that tentative weekly meetings would remain available through the end of the legislative session. The next regular Committee meeting will be held March 18th. Kelly Casaday indicated that he would contact Betsy Wolf and Franz Amussen about scheduling meetings with Senator Valentine.

At 2:00, Betsy Wolf made the motion to adjourn, which passed unanimously.