

**Energy and Telecommunications Interim  
Committee  
Draft Work Plan  
2013-2014**

June 6, 2013

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# Information about the 2013-2014 Draft Work Plan

## **Introduction**

This is the draft work plan for the Energy and Telecommunications Interim Committee (ETIC or Committee) for the 2013-2014 interim. In this document you will find:

- An explanation of how the ETIC plans its work.
- Instructions for using the draft work plan to make decisions about the final work plan.
- A description of potential work plan topics and options for addressing those topics.
- A draft timeline and review of past ETIC studies.

There is an additional document-- the ***Draft ETIC Work Plan Decision Matrix*** -- to assist members in establishing a final work plan.

## **Members and Staff**

Committee members

- Rep. Mike Lang
- Rep. Mary McNally
- Rep. Keith Regier
- Rep. Tom Steenberg
- Sen. Ed Buttrey
- Sen. Robyn Driscoll
- Sen. Cliff Larsen
- Sen. Alan Olson

Staff

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## **How the ETIC Plans its Work**

During the legislative interim, the ETIC typically focuses on the study topics it has been assigned while also maintaining oversight of programs and rulemaking activities of the Department of Public Service Regulation and the Public Service Commission. It also may address issues and improve law as it deems to be in the best interest of the state.

Following the close of the 2013 Legislative session, the Legislative Council assigned the Committee a study in the form of joint study resolution ranked by legislators. The Committee was assigned Senate Joint Resolution No. 6, a study of Montana's renewable portfolio standard. In May, staff also requested ETIC members provide potential study topics for discussion at the June meeting. Keeping statutory assignments and the assigned study in mind, it will be up to the Committee to chart its work for the coming months.

The ETIC establishes its work plan at the beginning of the interim. **The primary constraint limiting the study agenda for the interim is the number of issues that can be effectively addressed within the available time and resources of the Committee members and its staff.**

This *Draft 2013-2014 Work Plan* is a **DRAFT**. It is really a **decision-making tool** to help Committee members work together efficiently to set priorities and decide how and where to spend the ETIC's limited time and resources. The work plan sets out a strategy for fulfilling the ETIC's responsibilities throughout the 2013-2014 interim.

Once you collectively make a decision on the work plan, it will become your blueprint for the 2013-2014 interim. Staff will develop detailed work plans and timetables for each major study. A draft timeline illustrating the overall schedule that these work plans will fit into once the meeting schedule and work plan are finalized is presented at the end of this document.

The draft work plan includes studies assigned by the Legislative Council, issues suggested by Committee members, and statutory mandates. The ETIC must decide how to prioritize its interim work regarding how and whether to pursue these requests.

## **Committee Procedures and Public Participation**

The ETIC will operate under the Rules, Procedures, and Guidelines for Interim Committees adopted by the Legislative Council.

As required by law, 10 day advance public notice will be given for all meetings and the public will be given an opportunity to comment on any matter that is within the jurisdiction of the Committee. The Presiding Officer may establish time limits for public comments, if necessary.

Interested persons may be added to the mailing list by visiting the ETIC website or contacting Dawn Field at 444-3073 or the Legislative Services Division Office at 444-3064. Agendas, memos, links and other information can be found on the ETIC website: [www.leg.mt.gov/etic](http://www.leg.mt.gov/etic). By visiting the website, interested persons may sign up for electronic meeting notifications.

## **Instructions**

The *DRAFT ETIC Work Plan Decision Matrix* is included as a separate document. Using the matrix, the decisions you will need to make are simply "What?" and "How Much?"

**Just follow these steps:**

1. Review the draft work plan.
2. Refer to the matrix. Review the topics and add any additional topics that are important to you.
3. For each category in the column on the far left, *choose* from the menu of options.
4. Circle the most appropriate option for that topic.
5. Fill in the resources allocated for that option in the far right column (#FTE, etc.).
6. Do this for each topic, then add the total. If it is more or less than about **.80 FTE**, reallocate.

This exercise can be done individually in order to get an idea of your own preference. After Committee discussion that should include answers to the question "Why", ETIC members may generate proposals for the group to consider. At the end of the June ETIC meeting, a plan of *what* the Committee plans to work on during the interim and *how much* effort will be placed on each subject should be the result. Any direction on *how* you think the work can best be accomplished will assist staff in preparing detailed work plans on the selected topics.

Once again, the *Draft 2013-2014 Work Plan* is a decision making tool. **Everything in it is subject to approval by the Committee.**

# Potential Work Plan Topics

## ***ETIC STATUTORY DUTIES AND OBLIGATIONS***

The ETIC draws its statutory responsibilities from six sources.

**I. Source/authority:** 5-5-215, MCA. General duties of all interim committees.  
5-5-230, MCA. ETIC oversight

"The energy and telecommunications interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the department of Public Service regulation and the Public Service Commission."

**As applied to the ETIC, statutes require the Committee to:**

1. **Conduct interim studies** as assigned. The Committee may recommend to the Legislative Council that an interim study be assigned to another interim committee or not be conducted.
2. **Review administrative rules** of the Department of Public Service Regulation (DPSR) and the Public Service Commission (PSC).
3. **Review legislation** proposed by DPSR or the PSC. Bills requested by an individual member of the Legislature are not subject to this requirement.
4. **Complete additional statutory duties** including reviewing and revising the state energy policy, reviewing universal system benefits programs, receiving an update on hydroelectric power development, receiving a report on the use of renewable energy credits in Montana, and receiving a report on geothermal activities in Montana.
5. **Monitor the operation of the DPSR and PSC** with specific attention to the following:
  - a. identification of issues likely to require future legislative attention;
  - b. opportunities to improve existing law through the analysis of problems experienced with the application of the law by the agency; and
  - c. experiences of Montana's citizens with the operation of the agency that may be amenable to improvement through legislative action.
6. **(Committee driven):** Prepare bills and resolutions that, in the Committee's opinion, the welfare of the state may require for presentation to the next regular session of the Montana Legislature.
7. **(Committee driven):** Compile, analyze, and furnish information bearing upon the Committee's assignment and relevant to existing or prospective legislation that the Committee determines to be pertinent to the adequate completion of its work.

**II. Source/authority:** 90-4-1003, MCA.

Requires the ETIC to "review the state energy policy and, if determined necessary by the committee, discuss at future meetings issues to be included in a revised policy and recommend potential changes".

The statute has seen a number of changes in the last 10 years. In 2009, the Legislature passed and approved SB 290, which required the ETIC to review the state's energy policy in-depth and examine nine specific topics. The ETIC completed its work but did not approve energy policy recommendations for consideration by the 2011 Legislature. The Committee, however, did propose legislation that was passed and approved to change the process for reviewing the energy policy. That legislation, SB 65, requires the ETIC, at its first meeting of the interim, to review the energy policy and determine if potential revisions should be discussed at future interim meetings.

The evolution of the ETIC's involvement in energy policy began in 2005. In 2005 HB 199

transferred the energy policy review function from the Environmental Quality Council to the ETIC. The statute stated that due to "limited state resources and the need to focus intensive effort on specific issues of importance, the development of a comprehensive state energy policy must occur on an incremental basis." It directed the Department of Environmental Quality, "as the need arises, [ . . . to] identify and recommend to the committee specific components of a state energy policy for development." If and when the DEQ identified such issues, the ETIC was then required to create a "working group," which the DEQ assisted in terms of staffing and administration. With the passage of legislation in 2009 and 2011, the DEQ was largely removed from the process and the review and any potential update was placed the hands of the ETIC.

SB 65, passed and approved by the 2011 Legislature, further changed the ETIC's responsibilities, as noted above. The 2011 Legislature also approved SB 305, which significantly revised the state energy policy.

**III. Source/authority:** 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 for review. The electric universal system benefits proposal was poised to sunset in 2009, however the 2009 Legislature approved HB 27 that eliminated the sunset and clarified the ETIC's role in reviewing the program.

**IV. Source/authority:** 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.

**V. Source/authority:** 85-1-501, MCA.

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.

**VI. Source/authority:** 69-3-2010, MCA.

Requires public utilities, rural electric cooperatives, competitive electricity suppliers, or owners of a renewable electrical generation facility to file a report with the ETIC each interim 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. The 2013 Legislature approved SB 52, which clarified the entities required to report credits. The first reports were due in March 2013.

<b>Statutory Duties and Obligations</b>		
<b>Review State Energy Policy</b>	<p style="text-align: center;"><b>0.25 FTE</b></p> <ul style="list-style-type: none"> <li>✓ In-depth review of energy policy approved by the 2011 Legislature and discussion of changes to specific policy.</li> <li>✓ Involve public and agencies in reviewing specific aspects of existing energy policy or additional policy areas.</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>✓ Report discussing specific aspects reviewed by committee.</li> <li>✓ Potential legislation.</li> </ul>	<p style="text-align: center;"><b>0.002 FTE</b></p> <ul style="list-style-type: none"> <li>✓ Review existing energy policy as required by statute. Provide for public input on policy.</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>✓ Summary of public comment received and of committee discussion.</li> </ul>
<b>Review Administrative Rules</b>	<p style="text-align: center;"><b>0.03 FTE</b></p> <ul style="list-style-type: none"> <li>✓ Staff provides Committee copies of notices for the adoption of rules on all ETIC subjects. (Members to inform staff or Chair if they want more information.)</li> <li>✓ Committee requests that it be copied on notification letters that the DPSR and/or PSC is sending to legislators who were primary sponsors of laws that the agency is now promulgating rules for.</li> <li>✓ Committee attorney monitors and provides synopses of proposed rules or subjects Committee needs to know about.</li> </ul>	<p style="text-align: center;"><b>0.02 FTE</b></p> <ul style="list-style-type: none"> <li>✓ Staff provides Committee copies of notices for the adoption of rules on certain ETIC subjects. (Members to inform staff or Chair if they want more information.)</li> <li>✓ Committee requests that it be copied on notification letters that the DPSR and/or PSC is sending to legislators who were primary sponsors of laws that the agency is now promulgating rules for.</li> </ul>
<b>Review Agency Legislation</b>	<p style="text-align: center;"><b>0.005 FTE</b></p> <ul style="list-style-type: none"> <li>✓ Committee reviews proposals from the DSPR and/or PSC and decides if staff should draft legislation for preintroduction.</li> </ul>	
<b>Monitor PSC activities</b>	<p style="text-align: center;"><b>0.05 FTE</b></p> <ul style="list-style-type: none"> <li>✓ Monitor or investigate aspects of PSC programs.</li> </ul>	<p style="text-align: center;"><b>0.03 FTE</b></p> <ul style="list-style-type: none"> <li>✓ Monitor or investigate aspects of a program, if and when the Committee so chooses.</li> </ul>



<b>Statutory Duties and Obligations</b>		
<b>Review Utility USB Reports</b>	<b>.1 FTE</b> ✓All of Option B.  ✓Staff completes analysis of historical use of USB funds.  ✓Panel discussions from multiple stakeholders.  <b>Deliverables:</b> ✓ Potential legislation.  ✓ Final report with recommendations and alternatives.	<b>0.03 FTE</b> ✓Committee reviews utility reports and decides if any comments on compliance are needed and if staff should assist.  ✓ Collect public comment on USB reporting requirements.  ✓Staff tracks PSC's investigation of USB electric and natural gas spending.  ✓PSC provides overview of outcome of its investigation.  <b>Deliverables:</b> ✓ Potential legislation.
<b>Review REC reports</b>	<b>0.002 FTE</b> ✓Committee reviews renewable energy credit reports and decides if any changes, in terms of legislation should be proposed to the 2015 Legislature.	
<b>Review Geothermal Research</b>	<b>0.002 FTE</b> ✓Committee reviews Bureau of Mines and Geology reports and decides if any comments are needed and if staff should assist.	
<b>Review Hydroelectric Projects</b>	<b>0.002 FTE</b> ✓Committee reviews DNRC reports related to hydroelectric potential at state-owned facilities.	

## *Assigned Studies*

### ***Study Montana's renewable portfolio standard***

**Source/authority:** Senate Joint Resolution No. 6

**Legislative Poll Ranking:** #3

**Background:** Since 2008, the Montana Renewable Power Production and Rural Economic Development Act required certain utilities to procure a percentage of their resources from renewable resources. Beginning in 2015, and in each succeeding year, a public utility and competitive electricity supplier must procure a minimum of 15% of its retail sales of electrical energy in Montana from renewable resources. There are ongoing discussions about increasing the renewable portfolio standard or abolishing the requirement, and to-date there has been limited analysis of the impact the Renewable Power Production and Rural Economic Development Act has had in Montana. This study would focus on the policy points outlined in SJ 6, including:

(1) The economic impacts of the renewable portfolio standard, including the standard's contribution to new electrical generation in Montana, the short-term and long-term jobs created by the standard, industries working in Montana due in part to the standard, the use of renewable energy credits in Montana by the renewable energy industry, and how the standard has been used to leverage Montana's competitive advantages in developing new electric transmission.

(2) The environmental benefits of the renewable portfolio standard, including the standard's contribution to diversified generation in Montana and to reduced dependence

on fossil fuels, the types of renewable energy generation used in meeting the standard, and potential contributions to air quality improvements attributable to the standard.

(3) The impacts the renewable portfolio standard has had on Montana consumers, including whether the standard has mitigated or contributed to higher energy costs for consumers and how the standard has been used to hedge against volatility in fossil fuel prices.

OPTION A	OPTION B	OPTION C	OPTION D
<p><b>.6 FTE</b>            ✓ All of Option B.</p> <p>✓ Review all points outlined in SJ 6.</p> <p>✓ Evaluate standards impact on consumer rates.</p> <p>✓ Include some review of other Western state's standards and impacts to Montana.</p> <p>✓ Analysis of Montana's standard and utilities and suppliers compliance with legislation.</p> <p><b>Deliverables:</b>            ✓ Potential legislation.</p> <p>✓ Final report with recommendations and alternatives.</p>	<p><b>.4 FTE.</b>            ✓ All of Option C</p> <p>✓ Evaluate economic and environmental impacts of standard in limited manner.</p> <p>✓ Panel discussion from multiple stakeholders.</p> <p><b>Deliverables:</b>            ✓ Potential legislation.</p> <p>✓ White paper.</p>	<p><b>.2 FTE</b>            ✓ Review of how utilities and suppliers are meeting the standard.</p> <p>✓ Panel discussion from utilities and suppliers.</p> <p><b>Deliverables:</b>            ✓ Potential legislation.</p>	<p><b>No Action</b></p>

## ***ETIC Educational Publications***

**Background:** The Environmental Quality Council has historically produced objective, nonpartisan, educational publications related to energy issues in Montana. These educational publications are well regarded and are regularly requested by the general public, legislators, state and federal agencies, other states, and industry and conservation groups. While the EQC in the past has developed these educational tools, the ETIC may choose, as it did during the last three interims, to oversee updates to the following documents:

☆ *A Citizen's Guide to Montana Energy Law (produced 2002; updated 2004, 2008, 2010, 2012)*

**Explanation:** This handbook was originally produced by the EQC during the 2001-03 interim. The EQC felt that given the magnitude of the issues surrounding electricity and especially electricity deregulation in the state, that an educational publication was needed to help Montanans sort out the morass of laws that deal with electricity. During the 2007-08 interim, the ETIC revised this handbook and updated it. Minimal changes were completed during the 2009-10 interim. With the passage of a new energy policy for Montana and the enactment of changes to permitting requirements related to energy generation and transmission line siting in Montana in 2011, this

publication was substantially rewritten and reorganized in 2012.

- ☆ *Understanding Electricity in Montana: A Guide to Electricity, Natural Gas and Coal Produced and Consumed in Montana (produced 2002; updated 2004, 2010)*

Explanation: This guide was produced by the Department of Environmental Quality energy staff for publication by the EQC. It provides statistical and explanatory information on electricity supply, demand, and transmission and information on coal and natural gas supply and demand. In the 2009-10 interim, ETIC staff and the DEQ completed a significant update and rewrite of this publication. DEQ annually updates energy statistics, as provided by the Energy Information Administration and posts them to the agency's website.

These publications often become outdated every interim as a result of legislative changes or administrative changes in the particular areas of law or rule that the publication addresses. Sometimes the updates require minimal time and effort, but some updates require a more intensive effort.

OPTION A	OPTION B	OPTION C	OPTION D
<p><b>.25 FTE</b></p> <ul style="list-style-type: none"> <li>✓ Complete overhaul of both <i>The Citizens Guide to Energy Law</i> and <i>Understanding Electricity in Montana</i>.</li> <li>✓ ETIC reviews and approves updates.</li> </ul>	<p><b>.10 FTE</b></p> <ul style="list-style-type: none"> <li>✓ Minimal updates to <i>The Citizens Guide to Energy Law</i>.</li> <li>✓ Update text and statistics, with DEQ assistance in <i>Understanding Electricity in Montana</i>.</li> <li>✓ ETIC reviews and approves updates.</li> </ul>	<p><b>.05 FTE</b></p> <ul style="list-style-type: none"> <li>✓ Minimal updates to <i>The Citizens Guide to Energy Law</i>.</li> <li>✓ Provide link to DEQ's updated statistics to <i>Understanding Electricity in Montana</i>.</li> <li>✓ ETIC reviews and approves updates.</li> </ul>	<p><b>No Action</b></p>

# ETIC MEMBER SUGGESTED TOPICS

## Study Green Schools Standards

**Source/authority:** Sen. Driscoll

**Legislative Poll Ranking:** N/A

**Background:** This topic was suggested to provide a forum for legislators to learn more about the impacts of green school standards in Montana. The study could include an overview of efforts already taking place in Montana to diversify energy resources used in Montana schools and practices and procedures to reduce energy consumption. The study could also include a discussion of innovative funding mechanisms that can create financing opportunities for green schools. The review may also include a discussion of waste management and water conservation.

OPTION A	OPTION B	OPTION C	OPTION D
<p><b>.4 FTE</b></p> <ul style="list-style-type: none"> <li>✓ All of Option B.</li> <li>✓ Analysis of direct and indirect financing opportunities for construction, renovation, operations, and maintenance for green schools.</li> <li>✓ Request Education and Local Government Committee participate in analysis and discussion.</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>✓ Potential legislation.</li> <li>✓ Final report with recommendations and alternatives.</li> </ul>	<p><b>.15 FTE.</b></p> <ul style="list-style-type: none"> <li>✓ All of Option C</li> <li>✓ Evaluate green school construction, renovation, and operations and maintenance practices in other Western states.</li> <li>✓ Analysis of impacts of green building standards for new schools and major renovations.</li> <li>✓ Discussion of energy performance measures and indoor air quality improvements.</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>✓ Potential legislation.</li> <li>✓ White paper.</li> </ul>	<p><b>.05 FTE</b></p> <ul style="list-style-type: none"> <li>✓ Review of how Montana is promoting green schools.</li> <li>✓ Panel discussion from school districts on how more could be done.</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>✓ Potential legislation.</li> </ul>	<p><b>No Action</b></p>

## **Review Interoperability**

**Source/authority:** Suggested by Sen. Olson      **Legislative Poll Ranking:** N/A

**Background:** This topic was suggested to track statewide interoperability issues. In September 2011, a Statewide Interoperability Governing Board (SIGB) was established. The SIGB directs the operation of the statewide public safety radio system formerly operated by Interoperability Montana. Interoperability is a complex issue but to oversimplify it is focused on ensuring that when agencies from multiple jurisdictions need to mount a coordinated response, they are able to talk to each other via their radios in real time.

OPTION A	OPTION B	OPTION C	OPTION D
	<p><b>.1 FTE</b></p> <ul style="list-style-type: none"> <li>✓ All of Option B.</li>   <li>✓ Track interoperability meetings by having staff attend meetings and update committee.</li>   <li>✓ Analysis of Interoperability funding history and pending issues.</li>   <li><b>Deliverables:</b></li> <li>✓ Staff white paper.</li>   <li>✓ Potential legislation.</li> </ul>	<p><b>.002 FTE</b></p> <ul style="list-style-type: none"> <li>✓ Receive an overview of DOA work on emergency radio and broadband network issues.</li>   <li>✓ Invite stakeholders to share comments with the committee.</li>   <li><b>Deliverables:</b></li> <li>✓ Potential legislation.</li> </ul>	<p><b>No Action</b></p>

## Draft 2013-2014 Work Plan Timeline

Note: This draft timeline is provided to give you an idea of the timeline that the ETIC will need to work under in order to complete its work on time. It is subject to the final approval of the ETIC. The timeline shows the last date for completion of certain items.

<b>June 21, 2012</b>	<b>ETIC Meeting.</b> Interim work plan prioritization and ETIC organizational meeting. Selection of studies and topics.
<b>Sept. 12-13, 2013</b>	<b>ETIC Meeting.</b> Adoption of detailed work plans for each selected study or topic. Out-of-town meeting.
<b>November 8, 2013</b>	<b>ETIC Meeting</b>
<b>January 10, 2014</b>	<b>ETIC Meeting</b>
<b>March 21, 2014</b>	<b>ETIC Meeting.</b>
<b>May 15-16, 2014</b>	<b>ETIC Meeting.</b> Last day to suggest revisions to a draft document if a 30 day public comment period is desired. Comments received will be compiled and distributed to the ETIC prior to the July meeting. Out-of-town meeting.
<b>July 18, 2014</b>	<b>ETIC Meeting.</b> Decision on recommendations, any proposed legislation, final report contents.
<b>Sept. 8, 2014</b>	<b>ETIC Meeting.</b> Final approval of recommendations, any reports, proposed legislation. Selection of bill sponsors. Development of strategy. Review agency bill draft requests.
	Committee interim work must be completed prior to September 15, 2014.

## Summary of Issues Reviewed by the 2007-2012 Energy and Telecommunications Interim Committees

### Appendix A

Study	Status
Study Montana's underground facility damage prevention program -- 2011-12	Report "Digging into One-Call" September 2012.
Examine Rural Electric Cooperative Transparency Matters -- 2011-12	Senate Bill No. 90, Establish voting and transparency requirements for rural electric cooperative February 2013.
Review Energy Resource Development -- 2011-12	White paper and several tours of energy-related facilities in Billings and Butte September 2012.
Examine PSC Organizational Structure -- 2011-12	White paper and panel discussion November 2012.
SB 290: Energy Policy Review -- 2009-10	Report "Montana's Energy Policy Review" October 2010.
Track Federal Greenhouse Gas Reduction Efforts -- 2009-10	Panel Discussion November 2009.
Study Carbon Sequestration -- 2007-08	Report "An Analysis of Geologic and Terrestrial Carbon Sequestration Regulatory and Policy Issues" September 2008.
Study Public Power -- 2007-08	Report "Perspectives on Public Power" September 2008.
Evaluate Costs/Savings of Wind Power -- 2007-08	White paper January 2008.
Evaluate Energy Transmission Systems -- 2007-08	White paper Summary June 2007.
Coal Gasification/Liquefaction water usage -- 2007-08	White paper November 2007.

2013 Montana Legislature



SENATE JOINT RESOLUTION NO. 6

INTRODUCED BY A. OLSON

BY REQUEST OF THE ENERGY AND TELECOMMUNICATIONS INTERIM COMMITTEE

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY TO ANALYZE THE IMPACTS OF THE MONTANA RENEWABLE POWER PRODUCTION AND RURAL ECONOMIC DEVELOPMENT ACT; AND REQUIRING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 64TH LEGISLATURE.

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY TO ANALYZE THE IMPACTS OF THE MONTANA RENEWABLE POWER PRODUCTION AND RURAL ECONOMIC DEVELOPMENT ACT; AND REQUIRING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 64TH LEGISLATURE.

WHEREAS, the Montana Renewable Power Production and Rural Economic Development Act, Title 69, chapter 3, part 20, has required certain utilities to procure a percentage of their resources from renewable resources since 2008; and

WHEREAS, beginning in 2015, and in each succeeding year, a public utility and competitive electricity supplier are required to procure a minimum of 15% of its retail sales of electrical energy in Montana from renewable resources; and

WHEREAS, there are ongoing discussions about increasing the renewable portfolio standard or abolishing the requirement; and

WHEREAS, there has been limited analysis of the impact the Renewable Power Production and Rural Economic Development Act has had in Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim



committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

(1) review the economic impacts of the renewable portfolio standard by analyzing:

(a) the renewable portfolio standard's contribution to new electrical generation in Montana;

(b) the short-term and long-term jobs created by the standard;

(c) industries working in Montana due in part to the standard;

(d) the use of renewable energy credits in Montana by the renewable energy industry; and

(e) how the standard has been used to leverage Montana's competitive advantages in developing new electric transmission;

(2) review the environmental benefits of the renewable portfolio standard by analyzing:

(a) the standard's contribution to diversified generation in Montana and to reduced dependence on fossil fuels;

(b) the types of renewable energy generation used in meeting the standard; and

(c) potential contributions to air quality improvements attributable to the standard; and

(3) review the impacts the renewable portfolio standard has had on Montana consumers by analyzing:

(a) whether the standard has mitigated or contributed to higher energy costs for consumers;

(b) how the standard has been used to hedge against volatility in fossil fuel prices; and

(c) whether the standard complements or hinders other efforts to help consumers.

BE IT FURTHER RESOLVED, that upon completion of the study, the committee make recommendations, if appropriate, to:

(1) revise Montana's Renewable Power Production and Rural Economic Development Act; and

(2) clarify existing law to ensure that the compliance costs do not outweigh the economic and environmental benefits.

BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2014.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 64th Legislature.