

2007 Energy and Telecommunications Legislation

Bills passed and approved

HB 24

Provides common carrier status to pipelines carrying carbon dioxide that is transported for permanent sequestration in a geological formation.

This bill, however, was contingent upon the passage and approval of SB 218, which authorized the Board of Environmental Review to adopt rules establishing a carbon sequestration program and permit system. SB 218 was tabled in House Natural Resources, so HB 24 is void.

HB 25

"Electric Utility Industry Generation Reintegration Act." This bill allows NorthWestern Energy to own electric power plants and dedicate that power to Montana customers. It "undoes" portions of the 1997 utility deregulation act.

It limits customer choice for small customers, but still allows larger customers to choose a new supplier under certain circumstances. The utility also must apply to the Public Service Commission for approval of an electricity supply resource. That approval generally must take place within 360 days, however, a public hearing is contingent upon a facility receiving a final air quality permit.

Unless the state or federal government has adopted statewide standards for the capture and sequestration of CO₂, the PSC is prohibited from approving an electric generating unit primarily fueled by coal unless a minimum of 50 percent of the CO₂ produced by the facility is captured and sequestered. Natural gas plants approved by the PSC also must include cost-effective carbon offsets.

HB 27

Authorizes a wireless enhanced 9-1-1 emergency telephone system. It imposes a 50-cent a month per access line or subscriber fee for wireless enhanced 9-1-1 services. The bill outlines how the wireless enhanced 9-1-1 account is distributed and used.

HB 41

Modifies DPHHS low income energy assistance fund. Eliminates restrictions on the use of the principal of the energy conservation and energy assistance account in the federal special revenue fund.

HB 166

Extends biodiesel tax credit. Credit amount stays the same, but the timeframe for using the credit is extended to seven years to encourage small producers.

HB 176

Changes the term gasohol to ethanol blended gasoline for consistency. Broadens the blends of gasoline that can receive current tax incentives.

HB 244

Expands the promotional activities that a telecommunications services provider can conduct without advanced PSC approval.

HB 328

Adds wind generation to the Montana Facilities Siting Act exemption for transmission lines of less than 150 miles that connect generation to regional grid.

HB 330

"Montana Clean Renewable Energy Bond Act." This bill authorized local governments to issue clean renewable energy bonds to finance the acquisition or construction of qualified energy projects. Local governments also may own, operate, or enter into contracts acquire and construct qualified energy projects. HB 330 makes it clear a local government cannot construct, own, or operate powerlines.

The bill outlines terms and conditions for issuing the bonds. It sets up the framework for local governing bodies to fully utilize the Energy Tax Incentives Act of 2005.

HB 427

Revises the natural gas Universal Systems Benefits laws and grants the Public Service Commission ongoing oversight and direction. It requires a natural gas provider file an annual report of its USB charges and programs. The commission also is granted the authority to revise the USB charge through a tracking procedure. Established current natural gas USB rate .42 percent of revenue for natural gas as the floor.

HB 526

Revises the Territorial Integrity Act laws. The bill clarifies how electric facilities provide transmission and distribution system services to new subdivisions and large customers. It sets out a method for providing the service in an effort to ensure there is not a duplication of services.

HB 611

Clarifies the laws for telecommunication access services for persons with disabilities. This bill updates the current laws to address new and emerging technology.

It requires any entity that offers services to subscribers in Montana that allow two or more persons in different locations to communicate orally, including providers of internet protocol-enabled voice communications service and all prepaid wireless options, to pay a 10-cent fee. The fee is for telecommunications services and specialized telecommunications equipment for persons with disabilities. The bill clarifies the Department of Revenue's role in collecting the fee.

HB 681

Extends the provisions of Montana's Renewable Power Production and Rural Economic Development Act. Competitive electricity suppliers, entities that sell electricity to small customers but are not public utilities or cooperatives, must meet the graduated renewable energy standards established by the 2005 Legislature.

A competitive supplier, however, is not obligated to take electricity from an eligible

renewable resource unless the total cost of the electricity from that source is less than or equal to a cost cap that is determined by the Public Service Commission. The Public Service Commission is to determine such a cap based on the cost of alternate, available power supplies and cost caps applied to other utilities.

HB 715

Requires the Board of Investments to use a portion of the Research and Commercialization Expendable Trust for awarding grants to advance clean coal or renewable resource research and development projects when in receipt of qualified applications.

HB 798

VETOED -- MAIL POLL IN PROGRESS

Adds oil, gas, and energy development impacts the coal impact board can mitigate.

SB 60

Clarifies the Governor's energy emergency authority related to the price of energy when the price of energy results in a curtailment of essential services, disrupts significant sectors of the economy, or imposes a threat to health and safety.

SB 185

Provides for in-town use of medium speed (less than 35 mph) electric vehicles.

SB 367

Moves Montana's Renewable Power Production and Rural Economic Development Act from chapter 8 to chapter 3 to ensure all public utilities are participants.

SB 369

Eliminates the requirement that rural cooperatives use the formulas provided in pole attachment rules of the Federal Communications Commission.

SB 448

Requires the Office of the Consumer Council to complete a customer fiscal impact analysis for new electrical generation facilities and facilities and upgrades permitted under the Montana Major Facility Siting Act. Projects proposed by public or cooperative utilities are exempt.

SB 449

Requires state agency vehicle purchases after January 2008 to meet or exceed the Corporate Average Fuel Efficiency standards. Governor, AG and HP exempted.

Special Session

HB 2

Gives Department of Commerce, Community Development Division, \$660,000 in one-time only general fund money for an Energy Infrastructure Promotion and Development program. Focuses on pipelines and transmission.

HB 3

Provides permanent property tax rate reductions from 12 percent to 3 percent of market value for new investments in transmission lines for "clean" electricity, "clean" liquid and carbon sequestration pipelines. Property taxes on new generation technology with sequestration goes from 6 percent to 3 percent. New DC converter stations serving two regional power grids go from 6 percent to 2.25 percent. Nonpermanent incentives from 3 percent to 1.5 percent are available for new investments in biodiesel, biomass and other defined technologies.