

PUBLIC SERVICE COMMISSION HEARING AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kay J. Christofferson

Senate Sponsor: David P. Hinkins

LONG TITLE

General Description:

This bill modifies the Public Utilities code by amending provisions relating to the Public Service Commission's review or rehearing procedures.

Highlighted Provisions:

This bill:

- ▶ extends the deadline for the Public Service Commission to act on an application for review or rehearing of an order or decision of the commission; and
- ▶ extends the deadline for the Public Service Commission to issue its decision on rehearing.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

54-7-15, as last amended by Laws of Utah 2009, Chapter 347

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **54-7-15** is amended to read:

54-7-15. Review or rehearing by commission -- Application -- Procedure -- Prerequisite to court action -- Effect of commission decisions.

(1) Before seeking judicial review of the commission's action, any party, stockholder,

30 bondholder, or other person pecuniarily interested in the public utility who is dissatisfied with
31 an order of the commission shall meet the requirements of this section.

32 (2) (a) After any order or decision has been made by the commission, any party to the
33 action or proceeding, any stockholder, bondholder, or other party pecuniarily interested in the
34 public utility affected may apply for rehearing of any matters determined in the action or
35 proceeding.

36 (b) An applicant may not urge or rely on any ground not set forth in the application in
37 an appeal to any court.

38 (c) Any application for rehearing not granted by the commission within [~~20~~] 30 days is
39 denied.

40 (d) (i) If the commission grants any application for rehearing without suspending the
41 order involved, the commission shall issue its decision on rehearing within [~~20~~] 30 days after
42 final submission.

43 (ii) If the commission fails to render its decision on rehearing within [~~20~~] 30 days, the
44 order involved is affirmed.

45 (e) Unless an order of the commission directs that an order is stayed or postponed, an
46 application for review or rehearing does not excuse any corporation or person from complying
47 with and obeying any order or decision of the commission.

48 (3) Any order or decision on rehearing that abrogates, changes, or modifies an original
49 order or decision has the same effect as an original order or decision, but does not affect any
50 right, or the enforcement of any right, arising from the original order or decision unless ordered
51 by the commission.

52 (4) An order of the commission, including a decision on rehearing:

53 (a) has effect only with respect to a public utility that is an actual party to the
54 proceeding in which the order is rendered; and

55 (b) does not determine any right, privilege, obligation, duty, constraint, burden, or
56 responsibility with respect to a public utility that is not a party to the proceeding in which the
57 order is rendered unless, in accordance with Subsection [63G-3-201\(6\)](#), the commission makes

58 a rule that incorporates the one or more principles of law that:
59 (i) are established by the order;
60 (ii) are not in commission rules at the time of the order; and
61 (iii) affect the right, privilege, obligation, duty, constraint, burden, or responsibility
62 with respect to the public utility.