

HOUSE BILL REPORT

HB 2523

As Passed House:
February 8, 2018

Title: An act relating to the annual reporting requirements for regulated utility and transportation companies.

Brief Description: Concerning the annual reporting requirements for regulated utility and transportation companies.

Sponsors: Representatives Hudgins, DeBolt, Kloba, Tarleton, Smith and Morris; by request of Utilities & Transportation Commission.

Brief History:

Committee Activity:

Technology & Economic Development: 1/25/18, 1/30/18 [DP].

Floor Activity:

Passed House: 2/8/18, 78-20.

Brief Summary of Bill

- Reduces the types and amounts of information public service companies are required to provide in their annual reports to the Utilities and Transportation Commission (UTC).
- Establishes a tiered penalty structure for public service companies that fail to file an annual report in the form and within the time required by the UTC.
- Authorizes the UTC to waive penalties when a public service company is able to sufficiently demonstrate that its failure to file an annual report in the form and within the time required was due to circumstances beyond its control.

HOUSE COMMITTEE ON TECHNOLOGY & ECONOMIC DEVELOPMENT

Majority Report: Do pass. Signed by 13 members: Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; DeBolt, Assistant Ranking Minority Member; Doglio, Fey, Hudgins, McDonald, Nealey, Santos, Slatter, Steele and Wylie.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Without recommendation. Signed by 3 members: Representatives Harmsworth, Manweller and Young.

Staff: Nikkole Hughes (786-7156).

Background:

The Utilities and Transportation Commission (UTC) regulates the rates, services, and practices of privately owned utilities and transportation companies, including electrical companies and telecommunications companies. The UTC is required to ensure that rates charged by these companies are "fair, just, and reasonable."

Each public service company under the UTC's jurisdiction must file an annual report in a form required by the UTC, and must show in detail information such as:

- the amount of capital stock issued;
- the cost and value of the company's property; and
- a complete exhibit of the financial operations of the company each year, including an annual balance sheet.

Any public service company that fails to file an annual report in the form and within the time required by the UTC is subject to monetary penalties of \$100 per day.

Summary of Bill:

The requirement that a public service company show certain detailed financial information in its annual report is repealed. Any public service company that fails to file an annual report in the form and within the time required by the UTC, including payment of any regulatory fee due, is subject to the following:

- monetary penalties of \$250 for reports filed one to 30 days past the due date, \$500 for reports filed 31 to 60 days past the due date, or \$1,000 for reports filed 61 to 90 days past the due date; or
- upon notice by the UTC, cancellation or revocation of its operating authority and additional penalties.

The UTC may waive penalties when a public service company is able to sufficiently demonstrate that its failure to file an annual report in the form and within the time required was due to circumstances beyond its control. Requests for such a waiver must be received within 15 days of the date a penalty is assessed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill streamlines the UTC's annual reporting process. This proposal creates a more efficient and transparent enforcement structure that reduces the burden on both the regulated companies and the UTC.

(Opposed) None.

Persons Testifying: Representative Hudgins, prime sponsor; and Jon Noski, Utilities and Transportation Commission.

Persons Signed In To Testify But Not Testifying: None.