**5803-S2 AMS ROLF S4558.1 - NOT FOR FLOOR USE**

**2SSB 5803** - S AMD **1073**

By Senator Rolfes

**ADOPTED 02/10/2022**

On page 3, line 30, after "elements." insert "In reviewing the plan, the commission must consult with the department of natural resources and the energy emergency management office of the department of commerce. The commission's review of an electrical company's wildfire mitigation plan does not relieve an electrical company from proactively managing wildfire risk, including by monitoring emerging practices and technologies, and mitigating and responding to wildfires. The commission is not liable for an electrical company's performance implementing its wildfire mitigation plan. An electrical company may pursue recovery of costs and investments associated with a wildfire mitigation plan through a proceeding to set rates at the commission. Nothing in this section or sections 2, 4, and 6 of this act may be construed to preclude electrical companies from continuing to develop and implement wildfire mitigation measures."

EFFECT: (1) Specifies that the Utilities and Transportation Commission (UTC) must consult with the Department of Natural Resources and the Energy Emergency Management Office of the Department of Commerce, when reviewing a utility's wildfire mitigation plan (plan). Clarifies that the UTC's review of a plan does not relieve a utility from proactively managing wildfire risk and the UTC is not liable for a utility's performance implementing its plan.

(2) Allows a utility to pursue recovery costs and investments associated with a plan through a rate proceeding.

(3) Directs that nothing in the act may be construed to preclude electrical companies from continuing to develop and implement wildfire mitigation measures.