

# SENATE BILL REPORT

## SB 5268

---

---

As Reported By Senate Committee On:  
Natural Resources, Energy & Water, February 19, 2003

**Title:** An act relating to fish protection costs.

**Brief Description:** Concerning fish protection costs.

**Sponsors:** Senators Oke and Morton.

**Brief History:**

**Committee Activity:** Natural Resources, Energy & Water: 1/29/03, 2/19/03 [DPS, DNP].

---

### SENATE COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER

**Majority Report:** That Substitute Senate Bill No. 5268 be substituted therefor, and the substitute bill do pass.

Signed by Senators Morton, Chair; Hewitt, Vice Chair; Hale, Hargrove, Honeyford and Oke.

**Minority Report:** Do not pass.

Signed by Senators Doumit, Fraser and Regala.

**Staff:** Richard Rodger (786-7461)

**Background:** Washington has both public and private organizations that provide electricity to retail customers. Those organizations include municipal utilities, public utility districts, rural electric cooperatives and mutuals, port districts, irrigation districts, joint operating agencies, and three independently owned utilities.

Many of the electricity providers spend resources on activities to protect fish.

**Summary of Substitute Bill:** Electric utilities with more than 10,000 retail electric customers must provide notice to their customers, on an at least annual basis, of the percentage of the utility bill that is attributable to the costs for fish protection. Electric utilities with 10,000 or fewer retail electric customers are encouraged to provide the notice. The utilities may provide the notice either in the customer's billing statement or through the utility's annual report. Utilities may estimate the costs of providing fish protection.

**Substitute Bill Compared to Original Bill:** The substitute places the language in a broader section of the statute and then limits the provisions to the larger utilities. Utilities are allowed to estimate the costs and to report on an annual basis, either in the billing or in an annual report.

**Appropriation:** None.

**Fiscal Note:** Available on original bill.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Citizens need to know how much money is spent by the utilities to protect fish.

**Testimony Against:** It will be difficult for utilities to calculate which expenditures are made on behalf of fish. Capital expenditures are easy to calculate, but operating costs expended for fish protection would be much more difficult to determine. Many small utilities only send out a postcard for billing purposes and adding additional requirements to the billing will be difficult for them. The original bill only applies to the independently owned utilities. There is a better place in the statutes for this provision.

**Testified:** Mike Kayser, citizen (pro); Stu Treefry, WA PUD Assoc.; Collins Sprague, Avista Corp.; Victoria Lincoln, Assoc. of WA. Cities, (concerns).