

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE OPERATIONS OF THE PUBLIC UTILITIES COMMISSION, AND, IN CONNECTION THEREWITH, MODERNIZING THE COMMISSION'S STATUTORY DIRECTIVES REGARDING DISTRIBUTED GENERATION OF ELECTRICITY; REQUIRING ADDITIONAL DISCLOSURE FROM INTERVENORS IN ADVERSARIAL PROCEEDINGS; AND PROVIDING THE COMMISSIONERS WITH ACCESS TO INDEPENDENT SUBJECT-MATTER EXPERTS.

Prime Sponsors: Sens. Hansen and Fenberg
Representative Bernett

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Appropriation Items of Note

Appropriation Required, Amendment in Packet

Fiscal Impact of Bill as Amended to Date

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 05/27/21.

	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
XXX	Update: Fiscal impact has changed due to <i>new information or technical issues</i>
	Update: Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	Non-Concurrence: JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

The Senate amended the bill on Second Reading (05/28/21), and the House State, Civic, Military, & Veterans Affairs Committee Report (06/03/21) includes amendments to the bill, however, Legislative Council Staff and JBC Staff agree that the amendments do not change the fiscal impact of the bill.

The Legislative Council Staff Revised Fiscal Note (05/27/21) indicates that no appropriation is necessary for implementation of this bill. Page 3 of the Note provides a list of 2021 legislation with provisions for Public Utilities Commission regulatory costs. The following table provides an update on appropriations made in these bills.

Pending 2021 Legislation with PUC Utility Regulatory Costs

Bill Number	Bill Topic	FY 2021-22 Required Appropriation	FY 2021-22 Appropriation (included in bill)	Current Fund Source*
HB 21-1269	PUC Study of Community Choice Energy	\$48,391	\$48,391	General Fund
SB 21-072	PUC Modernize Electric Transmission Infrastructure	\$500,000	\$0	No Appropriation
SB 21-103	Sunset Office of Consumer Counsel	\$453,491	\$453,491	Fixed Utility Fund
SB 21-108	PUC Gas Utility Safety Inspection Authority	\$423,448	\$423,448	General Fund
SB 21-246	Electric Utilities Promote Beneficial Electrification	\$168,448	\$0	No Appropriation
SB 21-261	PUC Encourage Renewable Energy Generation	\$91,488	\$0	No Appropriation
SB 21-264	Adopt Programs Reduce Greenhouse Gas Emissions Utilities	\$92,482	\$0	No Appropriation
TOTALS		\$1,777,748	\$925,330	

*H.B. 21-1269, S.B. 21-072, and S.B. 21-108 have passed Third Reading in the Second Chamber. S.B. 21-246 and S.B. 21-261 have been referred to House Appropriations. S.B. 21-264 has not been introduced in the House.

Enactment of S.B. 21-272 will raise the cap on annual fees collected from regulated public utilities allowing for necessary appropriations in the legislation identified above to be made from the Public Utilities Commission Fixed Utility Fund (Fund). JBC Staff has prepared amendment J.001 (attached) to eliminate the General Fund appropriations in H.B. 21-1269 and S.B. 21-108 and to appropriate cash funds from the Fund for the implementation of H.B. 21-1269, S.B. 21-072, and S.B. 21-108. Amendments that include provisions to appropriate cash funds from the Fund for the implementation of S.B. 21-246, S.B. 21-261, and S.B. 21-264 will be prepared for each bill upon referral to House Appropriations.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

Implementation of S.B. 21-272 does not require an appropriation clause, however, JBC Staff has prepared J.001 to provide spending authority from the Public Utilities Commission Fixed Utility Fund for the implementation of H.B. 21-1269, S.B. 21-072, and S.B. 21-108.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to add a provision decreasing the General Fund appropriation to the Department of Regulatory Agencies by \$48,391, and appropriating \$48,391 cash funds from the Public Utilities Commission Fixed Utility Fund for FY 2021-22 for the implementation of H.B. 21-1269. The provision also states that the Department will require an additional 0.5 FTE.

In addition, **J.001** includes a provision appropriating \$500,000 cash funds from the Public Utilities Commission Fixed Utility Fund to the Department of Regulatory Agencies for FY 2021-22 for the implementation of S.B. 21-072.

Finally, **J.001** decreases the General Fund appropriation to the Department of Regulatory Agencies by \$423,448, and appropriates \$423,448 cash funds from the Public Utilities Commission Fixed Utilities Fund to the Department for FY 2021-22 for the implementation of S.B. 21-108. Of this amount, \$53,170 is reappropriated to the Department of Law. The provision also states that the appropriation is based on the assumption that the Department of Regulatory Agencies will require an additional 3.7 FTE and the Department of Law will require an additional 0.3 FTE.

Points to Consider

None.