

SENATE BILL NO. 276

April 19, 2023, Introduced by Senators BAYER, SINGH, MCMORROW, CAVANAGH, IRWIN, SANTANA, SHINK, GEISS, CHANG, CAMILLERI, HERTEL, MOSS, BRINKS and ANTHONY and referred to the Committee on Energy and Environment.

A bill to amend 1939 PA 3, entitled

"An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses;

to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,"

by amending section 6t (MCL 460.6t), as added by 2016 PA 341.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6t. (1) The commission shall, ~~within 120 days of the~~
2 ~~effective date of the amendatory act that added this section~~ **by**
3 **August 18, 2017** and every 5 years thereafter, commence a proceeding
4 and, in consultation with ~~the Michigan agency for energy, the~~
5 department of ~~environmental quality,~~ **environment, Great Lakes, and**
6 **energy** and other interested parties, do all of the following as
7 part of the proceeding:

8 (a) Conduct an assessment of the potential for energy waste
9 reduction in this state, based on what is economically and
10 technologically feasible, as well as what is reasonably achievable.

11 (b) Conduct an assessment for the use of demand response
12 programs in this state, based on what is economically and
13 technologically feasible, as well as what is reasonably achievable.
14 The assessment ~~shall~~ **must** expressly account for advanced metering
15 infrastructure that has already been installed in this state and
16 seek to fully maximize potential benefits to ratepayers in lowering
17 utility bills.

18 (c) Identify significant state or federal environmental
19 regulations, laws, or rules and how each regulation, law, or rule
20 would affect electric utilities in this state.

21 (d) Identify any formally proposed state or federal

1 environmental regulation, law, or rule that has been published in
2 the Michigan Register or the Federal Register and how the proposed
3 regulation, law, or rule would affect electric utilities in this
4 state.

5 (e) Identify any required planning reserve margins and local
6 clearing requirements in areas of this state.

7 (f) Establish the modeling scenarios and assumptions each
8 electric utility should include in addition to its own scenarios
9 and assumptions in developing its integrated resource plan filed
10 under subsection (3), including, but not limited to, all of the
11 following:

12 (i) Any required planning reserve margins and local clearing
13 requirements.

14 (ii) All applicable state and federal environmental
15 regulations, laws, and rules identified in this subsection.

16 (iii) Any supply-side and demand-side resources that reasonably
17 could address any need for additional generation capacity,
18 including, but not limited to, the type of generation technology
19 for any proposed generation facility, projected energy waste
20 reduction savings, and projected load management and demand
21 response savings.

22 (iv) Any regional infrastructure limitations in this state.

23 (v) The projected costs of different types of fuel used for
24 electric generation.

25 (g) Allow other state agencies to provide input regarding any
26 other regulatory requirements that should be included in modeling
27 scenarios or assumptions.

28 (h) Publish a copy of the proposed modeling scenarios and
29 assumptions to be used in integrated resource plans on the

1 commission's website.

2 (i) Before issuing the final modeling scenarios and
3 assumptions each electric utility should include in developing its
4 integrated resource plan, receive written comments and hold
5 hearings to solicit public input regarding the proposed modeling
6 scenarios and assumptions.

7 (2) ~~A~~ **The commission shall complete a** proceeding commenced
8 under subsection (1) ~~shall be completed~~ within 120 days, and shall
9 not ~~be~~ **conduct the proceeding as** a contested case under chapter 4
10 of the administrative procedures act of 1969, 1969 PA 306, MCL
11 24.271 to ~~24.287.~~ **24.288**. The determination of the modeling
12 assumptions for integrated resource plans made under subsection (1)
13 is not considered a final order for purposes of judicial review.
14 The determinations made under subsection (1) are only subject to
15 judicial review as part of the final commission order approving an
16 integrated resource plan under this section.

17 (3) Not later than ~~2 years after the effective date of the~~
18 ~~amendatory act that added this section,~~ **April 20, 2019**, each
19 electric utility whose rates are regulated by the commission shall
20 file with the commission an integrated resource plan that provides
21 a 5-year, 10-year, and 15-year projection of the utility's load
22 obligations and a plan to meet those obligations, to meet the
23 utility's requirements to provide generation reliability, including
24 meeting planning reserve margin and local clearing requirements
25 determined by the commission or the appropriate independent system
26 operator, and to meet all applicable state and federal reliability
27 and environmental regulations over the ensuing term of the plan.
28 The commission shall issue an order establishing filing
29 requirements, including application forms and instructions, and

1 filing deadlines for an integrated resource plan filed by an
2 electric utility whose rates are regulated by the commission. The
3 electric utility's plan may include alternative modeling scenarios
4 and assumptions in addition to those identified under subsection
5 (1).

6 (4) For an electric utility with fewer than 1,000,000
7 customers in this state whose rates are regulated by the
8 commission, the commission may issue an order implementing separate
9 filing requirements, review criteria, and approval standards that
10 differ from those established under subsection (3). An electric
11 utility providing electric tariff service to customers both in this
12 state and in at least 1 other state may design its integrated
13 resource plan to cover all its customers on that multistate basis.
14 If an electric utility has filed a multistate integrated resource
15 plan that includes its service area in this state with the relevant
16 utility regulatory commission in another state in which it provides
17 tariff service to retail customers, the commission shall accept
18 that integrated resource plan filing for filing purposes in this
19 state. However, the commission may require supplemental information
20 if necessary as part of its evaluation and determination of whether
21 to approve the plan. Upon request of an electric utility, the
22 commission may adjust the filing dates for a multistate integrated
23 resource plan filing in this state to place its review on the same
24 timeline as other relevant state reviews.

25 (5) An integrated resource plan ~~shall~~**must** include all of the
26 following:

27 (a) A long-term forecast of the electric utility's sales and
28 peak demand under various reasonable scenarios.

29 (b) The type of generation technology proposed for a

1 generation facility contained in the plan and the proposed capacity
2 of the generation facility, including projected fuel costs under
3 various reasonable scenarios. **Beginning in 2030, an electric**
4 **utility shall not include a coal-fired electric generation facility**
5 **in a plan.**

6 (c) Projected energy purchased or produced by the electric
7 utility from a renewable energy resource. If the level of renewable
8 energy purchased or produced is projected to drop over the planning
9 periods set forth in subsection (3), the electric utility must
10 demonstrate why the reduction is in the best interest of
11 ratepayers.

12 (d) Details regarding the utility's plan to eliminate energy
13 waste, including the total amount of energy waste reduction
14 expected to be achieved annually, the cost of the plan, and the
15 expected savings for its retail customers.

16 (e) An analysis of how the combined amounts of renewable
17 energy and energy waste reduction achieved under the plan compare
18 to the renewable energy resources and energy waste reduction goal
19 provided in section 1 of the clean and renewable energy and energy
20 waste reduction act, 2008 PA 295, MCL 460.1001. This analysis and
21 comparison may include renewable energy and capacity in any form,
22 including generating electricity from renewable energy systems for
23 sale to retail customers or purchasing or otherwise acquiring
24 renewable energy credits with or without associated renewable
25 energy, allowed under section 27 of the clean and renewable energy
26 and energy waste reduction act, 2008 PA 295, MCL 460.1027, as it
27 existed before ~~the effective date of the amendatory act that added~~
28 ~~this section.~~ **April 20, 2017.**

29 (f) Projected load management and demand response savings for

1 the electric utility and the projected costs for those programs.

2 (g) Projected energy and capacity purchased or produced by the
3 electric utility from a cogeneration resource.

4 (h) An analysis of potential new or upgraded electric
5 transmission options for the electric utility.

6 (i) Data regarding the utility's current generation portfolio,
7 including the age, capacity factor, licensing status, and remaining
8 estimated time of operation for each facility in the portfolio.

9 (j) Plans for meeting current and future capacity needs with
10 the cost estimates for all proposed construction and major
11 investments, including any transmission or distribution
12 infrastructure that would be required to support the proposed
13 construction or investment, and power purchase agreements.

14 **(k) Plans for retiring any coal-fired electric generation**
15 **facilities owned by that electric utility by 2030.**

16 (l) ~~(k)~~—An analysis of the cost, capacity factor, and viability
17 of all reasonable options available to meet projected energy and
18 capacity needs, including, but not limited to, existing electric
19 generation facilities in this state.

20 (m) ~~(l)~~—Projected rate impact for the periods covered by the
21 plan.

22 (n) ~~(m)~~—How the utility will comply with all applicable state
23 and federal environmental regulations, laws, and rules, and the
24 projected costs of complying with those regulations, laws, and
25 rules.

26 (o) ~~(n)~~—A forecast of the utility's peak demand and details
27 regarding the amount of peak demand reduction the utility expects
28 to achieve and the actions the utility proposes to take in order to
29 achieve that peak demand reduction.

1 **(p)** ~~(e)~~—The projected long-term firm gas transportation
2 contracts or natural gas storage the electric utility will hold to
3 provide an adequate supply of natural gas to any new generation
4 facility.

5 (6) Before filing an integrated resource plan under this
6 section, each electric utility whose rates are regulated by the
7 commission shall issue a request for proposals to provide any new
8 supply-side generation capacity resources needed to serve the
9 utility's reasonably projected electric load, applicable planning
10 reserve margin, and local clearing requirement for its customers in
11 this state and customers the utility serves in other states during
12 the initial 3-year planning period to be considered in each
13 integrated resource plan to be filed under this section. An
14 electric utility shall define qualifying performance standards,
15 contract terms, technical competence, capability, reliability,
16 creditworthiness, past performance, and other criteria that
17 responses and respondents to the request for proposals must meet in
18 order to be considered by the utility in its integrated resource
19 plan to be filed under this section. Respondents to a request for
20 proposals may request that certain proprietary information be
21 exempt from public disclosure as allowed by the commission. A
22 utility that issues a request for proposals under this subsection
23 shall use the resulting proposals to inform its integrated resource
24 plan filed under this section and include all of the submitted
25 proposals as attachments to its integrated resource plan filing
26 regardless of whether the proposals met the qualifying performance
27 standards, contract terms, technical competence, capability,
28 reliability, creditworthiness, past performance, or other criteria
29 specified for the utility's request for proposals under this

1 section. An existing supplier of electric generation capacity
2 currently producing at least 200 megawatts of firm electric
3 generation capacity resources located in the independent system
4 operator's zone in which the utility's load is served that seeks to
5 provide electric generation capacity resources to the utility may
6 submit a written proposal directly to the commission as an
7 alternative to any supply-side generation capacity resource
8 included in the electric utility's integrated resource plan
9 submitted under this section, and has standing to intervene in the
10 contested case proceeding conducted under this section. This
11 subsection does not require an entity that submits an alternative
12 under this subsection to submit an integrated resource plan. This
13 subsection does not limit the ability of any other person to submit
14 to the commission an alternative proposal to any supply-side
15 generation capacity resource included in the electric utility's
16 integrated resource plan submitted under this section and to
17 petition for and be granted leave to intervene in the contested
18 case proceeding conducted under this section under the rules of
19 practice and procedure of the commission. The commission shall only
20 consider an alternative proposal submitted under this subsection as
21 part of its approval process under subsection (8). The electric
22 utility submitting an integrated resource plan under this section
23 is not required to adopt any proposals submitted under this
24 subsection. To the extent practicable, each electric utility is
25 encouraged, but not required, to partner with other electric
26 providers in the same local resource zone as the utility's load is
27 served in the development of any new supply-side generation
28 capacity resources included as part of its integrated resource
29 plan.

1 (7) Not later than 300 days after an electric utility files an
2 integrated resource plan under this section, the commission shall
3 state if the commission has any recommended changes, and if so,
4 describe them in sufficient detail to allow their incorporation in
5 the integrated resource plan. If the commission does not recommend
6 changes, ~~it~~**the commission** shall issue a final, appealable order
7 approving or denying the plan filed by the electric utility. If the
8 commission recommends changes, the commission shall set a schedule
9 allowing parties at least 15 days after that recommendation to file
10 comments regarding those recommendations, and allowing the electric
11 utility at least 30 days to consider the recommended changes and
12 submit a revised integrated resource plan that incorporates 1 or
13 more of the recommended changes. If the electric utility submits a
14 revised integrated resource plan under this section, the commission
15 shall issue a final, appealable order approving the plan as revised
16 by the electric utility or denying the plan. The commission shall
17 issue a final, appealable order no later than 360 days after an
18 electric utility files an integrated resource plan under this
19 section. Up to 150 days after an electric utility makes its initial
20 filing, the electric utility may file to update its cost estimates
21 if those cost estimates have materially changed. A utility shall
22 not modify any other aspect of the initial filing unless the
23 utility withdraws and refiles the application. A utility's filing
24 updating its cost estimates does not extend the period for the
25 commission to issue an order approving or denying the integrated
26 resource plan. The commission shall review the integrated resource
27 plan in a contested case proceeding conducted ~~pursuant to~~**in**
28 **accordance with** chapter 4 of the administrative procedures act of
29 1969, 1969 PA 306, MCL 24.271 to ~~24.287.~~**24.288.** The commission

1 shall allow intervention by interested persons including electric
2 customers of the utility, respondents to the utility's request for
3 proposals under this section, or other parties approved by the
4 commission. The commission shall request an advisory opinion from
5 the department of ~~environmental quality~~ **environment, Great Lakes,**
6 **and energy** regarding whether any potential decrease in emissions of
7 sulfur dioxide, oxides of nitrogen, mercury, and particulate matter
8 would reasonably be expected to result if the integrated resource
9 plan proposed by the electric utility under subsection (3) was
10 approved and whether the integrated resource plan can reasonably be
11 expected to achieve compliance with the regulations, laws, or rules
12 identified in subsection (1). The commission may take official
13 notice of the opinion issued by the department of ~~environmental~~
14 ~~quality~~ **environment, Great Lakes, and energy** under this subsection
15 pursuant to R 792.10428 of the Michigan Administrative Code.
16 Information submitted by the department of ~~environmental quality~~
17 **environment, Great Lakes, and energy** under this subsection is
18 advisory and is not binding on future determinations by the
19 department of ~~environmental quality~~ **environment, Great Lakes, and**
20 **energy** or the commission in any proceeding or permitting process.
21 This section does not prevent an electric utility from applying
22 for, or receiving, any necessary permits from the department of
23 ~~environmental quality~~ **environment, Great Lakes, and energy**. The
24 commission may invite other state agencies to provide testimony
25 regarding other relevant regulatory requirements related to the
26 integrated resource plan. The commission shall permit reasonable
27 discovery after an integrated resource plan is filed and during the
28 hearing in order to assist parties and interested persons in
29 obtaining evidence concerning the integrated resource plan,

1 including, but not limited to, the reasonableness and prudence of
2 the plan and alternatives to the plan raised by intervening
3 parties.

4 (8) The commission shall approve the integrated resource plan
5 under subsection (7) if the commission determines all of the
6 following:

7 (a) The proposed integrated resource plan represents the most
8 reasonable and prudent means of meeting the electric utility's
9 energy and capacity needs. To determine whether the integrated
10 resource plan is the most reasonable and prudent means of meeting
11 energy and capacity needs, the commission shall consider whether
12 the plan appropriately balances all of the following factors:

13 (i) Resource adequacy and capacity to serve anticipated peak
14 electric load, applicable planning reserve margin, and local
15 clearing requirement.

16 (ii) Compliance with applicable state and federal environmental
17 regulations.

18 (iii) Competitive pricing.

19 (iv) Reliability.

20 (v) Commodity price risks.

21 (vi) Diversity of generation supply.

22 (vii) Whether the proposed levels of peak load reduction and
23 energy waste reduction are reasonable and cost effective. Exceeding
24 the renewable energy resources and energy waste reduction goal in
25 section 1 of the clean and renewable energy and energy waste
26 reduction act, 2008 PA 295, MCL 460.1001, by a utility shall not,
27 in and of itself, be grounds for determining that the proposed
28 levels of peak load reduction, renewable energy, and energy waste
29 reduction are not reasonable and cost effective.

1 (b) To the extent practicable, the construction or investment
2 in a new or existing capacity resource in this state is completed
3 using a workforce composed of residents of this state as determined
4 by the commission. This subdivision does not apply to a capacity
5 resource that is located in a county that lies on the border with
6 another state.

7 (c) The plan meets the requirements of subsection (5).

8 (9) If the commission denies a utility's integrated resource
9 plan, the utility, within 60 days after the date of the final order
10 denying the integrated resource plan, may submit revisions to the
11 integrated resource plan to the commission for approval. The
12 commission shall commence a new contested case hearing under
13 chapter 4 of the administrative procedures act of 1969, 1969 PA
14 306, MCL 24.271 to ~~24.287.~~ **24.288.** Not later than 90 days after the
15 date that the utility submits the revised integrated resource plan
16 to the commission under this subsection, the commission shall issue
17 an order approving or denying, with recommendations, the revised
18 integrated resource plan if the revisions are not substantial or
19 inconsistent with the original integrated resource plan filed under
20 this section. If the revisions are substantial or inconsistent with
21 the original integrated resource plan, the commission has up to 150
22 days to issue an order approving or denying, with recommendations,
23 the revised integrated resource plan.

24 (10) If the commission denies an electric utility's integrated
25 resource plan, the electric utility may proceed with a proposed
26 construction, purchase, investment, or power purchase agreement
27 contained in the integrated resource plan without the assurances
28 granted under this section.

29 (11) In approving an integrated resource plan under this

1 section, the commission shall specify the costs approved for the
2 construction of or significant investment in an electric generation
3 facility, the purchase of an existing electric generation facility,
4 the purchase of power under the terms of the power purchase
5 agreement, or other investments or resources used to meet energy
6 and capacity needs that are included in the approved integrated
7 resource plan. The costs for specifically identified investments,
8 including the costs for facilities under subsection (12), included
9 in an approved integrated resource plan that are commenced within 3
10 years after the commission's order approving the initial plan,
11 amended plan, or plan review are considered reasonable and prudent
12 for cost recovery purposes.

13 (12) Except as otherwise provided in subsection (13), for a
14 new electric generation facility approved in an integrated resource
15 plan that is to be owned by the electric utility and that is
16 commenced within 3 years after the commission's order approving the
17 plan, the commission shall finalize the approved costs for the
18 facility only after the utility has done all of the following and
19 filed the results, analysis, and recommendations with the
20 commission:

21 (a) Implemented a competitive bidding process for all major
22 engineering, procurement, and construction contracts associated
23 with the construction of the facility.

24 (b) Implemented a competitive bidding process that allows
25 third parties to submit firm and binding bids for the construction
26 of an electric generation facility on behalf of the utility that
27 would meet all of the technical, commercial, and other
28 specifications required by the utility for the generation facility,
29 such that ownership of the electric generation facility vests with

1 the utility no later than the date the electric generation facility
2 becomes commercially available.

3 (c) Demonstrated to the commission that the finalized costs
4 for the new electric generation facility are not significantly
5 higher than the initially approved costs under subsection (11). If
6 the finalized costs are found to be significantly higher than the
7 initially approved costs, the commission shall review and approve
8 the proposed costs if the commission determines those costs are
9 reasonable and prudent.

10 (13) If the capacity resource under subsection (12) is for the
11 construction of an electric generation facility of 225 megawatts or
12 more or for the construction of an additional generating unit or
13 units totaling 225 megawatts or more at an existing electric
14 generation facility, the utility shall submit an application to the
15 commission seeking a certificate of necessity under section 6s.

16 (14) An electric utility shall annually, or more frequently if
17 required by the commission, file reports to the commission
18 regarding the status of any projects included in the initial 3-year
19 period of an integrated resource plan approved under subsection
20 (7).

21 (15) For power purchase agreements that a utility enters into
22 after ~~the effective date of the amendatory act that added this~~
23 ~~section~~ **April 20, 2017** with an entity that is not affiliated with
24 that utility, the commission shall consider and may authorize a
25 financial incentive for that utility that does not exceed the
26 utility's weighted average cost of capital.

27 (16) Notwithstanding any other provision of law, an order by
28 the commission approving an integrated resource plan may be
29 reviewed by the court of appeals upon a filing by a party to the

1 commission proceeding within 30 days after the order is issued. All
2 appeals of the order shall be heard and determined as expeditiously
3 as possible with lawful precedence over other matters. Review on
4 appeal ~~shall be~~ **is** based solely on the record before the commission
5 and briefs to the court and is limited to whether the order
6 conforms to the constitution and laws of this state and the United
7 States and is within the authority of the commission under this
8 act.

9 (17) The commission shall include in an electric utility's
10 retail rates all reasonable and prudent costs specified under
11 subsections (11) and (12) that have been incurred to implement an
12 integrated resource plan approved by the commission. The commission
13 shall not disallow recovery of costs an electric utility incurs in
14 implementing an approved integrated resource plan, if the costs do
15 not exceed the costs approved by the commission under subsections
16 (11) and (12). If the actual costs incurred by the electric utility
17 exceed the costs approved by the commission, the electric utility
18 has the burden of proving by a preponderance of the evidence that
19 the costs are reasonable and prudent. The portion of the cost of a
20 plant, facility, power purchase agreement, or other investment in a
21 resource that meets a demonstrated need for capacity that exceeds
22 the cost approved by the commission is presumed to have been
23 incurred due to a lack of prudence. The commission may include any
24 or all of the portion of the cost in excess of the cost approved by
25 the commission if the commission finds by a preponderance of the
26 evidence that the costs are reasonable and prudent. The commission
27 shall disallow costs the commission finds have been incurred as the
28 result of fraud, concealment, gross mismanagement, or lack of
29 quality controls amounting to gross mismanagement. The commission

1 shall also require refunds with interest to ratepayers of any of
2 these costs already recovered through the electric utility's rates
3 and charges. If the assumptions underlying an approved integrated
4 resource plan materially change, or if the commission believes it
5 is unlikely that a project or program will become commercially
6 operational, an electric utility may request, or the commission on
7 its own motion may initiate, a proceeding to review whether it is
8 reasonable and prudent to complete an unfinished project or program
9 included in an approved integrated resource plan. If the commission
10 finds that completion of the project or program is no longer
11 reasonable and prudent, the commission may modify or cancel
12 approval of the project or program and unincurred costs in the
13 electric utility's integrated resource plan. Except for costs the
14 commission finds an electric utility has incurred as the result of
15 fraud, concealment, gross mismanagement, or lack of quality
16 controls amounting to gross mismanagement, if commission approval
17 is modified or canceled, the commission shall not disallow
18 reasonable and prudent costs already incurred or committed to by
19 contract by an electric utility. Once the commission finds that
20 completion of the project or program is no longer reasonable and
21 prudent, the commission may limit future cost recovery to those
22 costs that could not be reasonably avoided.

23 (18) The commission may allow financing interest cost recovery
24 in an electric utility's base rates on construction work in
25 progress for capital improvements approved under this section prior
26 to the assets' being considered used and useful. Regardless of
27 whether or not the commission authorizes base rate treatment for
28 construction work in progress financing interest expense, an
29 electric utility may recognize, accrue, and defer the allowance for

1 funds used during construction.

2 (19) An electric utility may seek to amend an approved
3 integrated resource plan. Except as otherwise provided under this
4 subsection, the commission shall consider the amendments under the
5 same process and standards that govern the review and approval of a
6 revised integrated resource plan under subsection (9). The
7 commission may order an electric utility that seeks to amend an
8 approved integrated resource plan under this subsection to file a
9 plan review under subsection (21).

10 (20) An electric utility shall file an application for review
11 of its integrated resource plan not later than 5 years after the
12 effective date of the most recent commission order approving a
13 plan, a plan amendment, or a plan review. The commission shall
14 consider a plan review under the same process and standards
15 established in this section for review and approval of an
16 integrated resource plan. A commission order approving a plan
17 review has the same effect as an order approving an integrated
18 resource plan.

19 (21) The commission may, on its own motion or at the request
20 of the electric utility, order an electric utility to file a plan
21 review. The department of ~~environmental quality~~ **environment, Great**
22 **Lakes, and energy** may request the commission to order a plan review
23 to address material changes in environmental regulations and
24 requirements that occur after the commission's approval of an
25 integrated resource plan. An electric utility must file a plan
26 review within 270 days after the commission orders the utility to
27 file a plan review.

28 (22) As used in this section, "long-term firm gas
29 transportation" means a binding agreement entered into between the

- 1 electric utility and a natural gas transmission provider for a set
- 2 period of time to provide firm delivery of natural gas to an
- 3 electric generation facility.