

**MINUTES OF THE
SENATE COMMITTEE ON COMMERCE AND LABOR**

**Seventy-third Session
April 12, 2005**

The Senate Committee on Commerce and Labor was called to order by Vice Chair Warren B. Hardy II at 9:40 a.m. on Tuesday, April 12, 2005, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4406, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Randolph J. Townsend, Chair
Senator Warren B. Hardy II, Vice Chair
Senator Sandra J. Tiffany
Senator Joe Heck
Senator Michael Schneider
Senator Maggie Carlton
Senator John Lee

STAFF MEMBERS PRESENT:

Kevin Powers, Committee Counsel
Scott Young, Committee Policy Analyst
Shirley Parks, Committee Secretary

OTHERS PRESENT:

Jon B. Wellinghoff, Northern Nevada Development Authority
Hank Harris, Shell Trading Gas and Power Company
Don Soderberg, Chairman, Public Utilities Commission of Nevada
Adriana Escobar-Chanos, Deputy Attorney General, Bureau of Consumer Protection, Office of the Attorney General
Michael W. Yackira, Executive Vice President and Chief Financial Officer, Sierra Pacific Resources; Nevada Power Company; Sierra Pacific Power Company
James A. Polito, Ph.D., Senior Economist, Bureau of Consumer Protection, Office of the Attorney General

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Thelma Clark, Silver Senator, Nevada Silver Haired Legislative Forum
Steve Taber, Energy Nevada
Michael Hackett, Pinnacle West Capital Corporation
Terry E. Page, Caithness Operating Company
Terry Graves, Saguaro Power Company
Steve K. Walker, Truckee Meadows Water Authority

VICE CHAIR HARDY:

I will open the hearing on Senate Bill (S.B.) 455. I understand there are amendments to be handed out.

SENATE BILL 455: Revises provisions governing transactions between eligible customers and providers of new electric resources. (BDR 58-1317)

JON B. WELLINGHOFF (Northern Nevada Development Authority):

I have with me today Hank Harris from Shell Trading Gas and Power Company who will give a brief introduction to S.B. 455. I will then speak to the amendments that were handed out to the Committee that we have worked out with the Public Utilities Commission of Nevada (PUCN) ([Exhibit C](#)).

HANK HARRIS (Shell Trading Gas and Power Company):

Our western offices are located in San Diego, California, and our corporate office is in Houston, Texas. Shell Trading Gas and Power Company is the fourth largest gas marketer in North America. In the west, we provide about 2.5 billion cubic feet of gas a day to customers. We manage the output of 2,500 megawatts of power plants. We believe open access to power markets is important, similar to the access that has been available for years in the gas markets. Many of our gas customers here in Nevada would like the opportunity to procure their power directly. Shell Trading Gas and Power Company stands ready to serve customers with a strong balance sheet and its physical assets. Current rules have not allowed customers to choose providers and procure energy apart from the utility. We would like to correct this situation with an amendment. This modification would not harm any protection from existing laws for the customers of the utility. It is our intent that the customer always is protected. The amendment will facilitate direct access for customers.

SENATOR TIFFANY:

What are the policy changes you were talking about? You spoke of several changes. I have read S.B. 455, but need some further clarification.

SENATOR HARDY:

Is this the amendment to S.B. 455 to which you referred?

MR. WELLINGHOFF:

Yes, this is the amendment. I will ask Mr. Harris to give a summary of the bill proposal with its minor policy changes.

MR. HARRIS:

Essentially, it breaks down to two small changes. One of which allows the utility the ability to provide power to departing customers from existing resources. This is only an option. The other change is to provide greater access to the transmission systems for the departing customers such that they can procure on a first come, first served basis, transmission that meets their needs and serves their load. We would suggest a 10-year commitment be made on this transmission to facilitate utility planning and assurance the remaining customers are not impacted by the sale of transmission.

SENATOR TIFFANY:

What I hear you saying is that the existing customer wishes to leave, but can return to the existing service and negotiate at a wholesale price as long as they sign a 10-year contract.

MR. HARRIS:

No. The provisions are for the customer who wishes to procure their energy in the open market. If they return, the provision remains unchanged. There may be a return fee or a higher utility rate.

SENATOR TIFFANY:

The customer leaves and purchases the energy somewhere else, but wants to use their first-customer transmission rights.

MR. HARRIS:

A scenario could be the customer chooses to go direct access. They have a portfolio of energy, some of it procured, what is known as "inside the loop" in Las Vegas and some of which could be imported on the transmission grids into a Nevada control area. They will buy access rights to the transmission from the utility at tariff rate, the distribution rate they require.

SENATOR CARLTON:

In an earlier bill, A.B. No. 661 of the 71st Session, the environment at the time was, in essence, we will kick the "big guys" off the grid and make them go find their energy at another source. This way new energy would be generated. More power would be domiciled here in the state. We were experiencing an energy crunch at the time. As I read S.B. 455, I am concerned because I do not see new energy. What is your response to this?

MR. HARRIS:

The new energy requirement, as initially interpreted, was a resource that might be in the State of Nevada. Shell Trading Gas and Power Company has, through its subsidiaries, invested in new generation energy outside this state to California. This is a resource we would propose to bring inside the state.

SENATOR CARLTON:

There were many safeguards built into that bill to make sure the residential and small ratepayer was not harmed. Would you continue to comply with these safeguards?

MR. HARRIS:

We would be in full compliance. It is not our intent to change or move the safeguards. We recognize the smaller ratepayers and consumers need safeguards.

SENATOR CARLTON:

When we start talking "cross class cost of service subsidy," are there any guarantees built in to protect the small ratepayer and consumer?

MR. WELLINGHOFF:

We will pull all of section 5 of the amendments that we have given the Committee entirely out of the bill. There will be no issue with respect to the "cross class of service subsidy." Others have had concern with this part of the bill, as well. We are more interested in the other provisions of the bill. We are changing none of the consumer protections as written. We intend to comply with all of them.

SENATOR CARLTON:

This answers one part of my question. The other part of the question was basically, if you do go outside the grid to receive energy and it is not working,

and need to return inside, what are the protections involved? There may be added costs. Are there safeguards?

MR. WELLINGHOFF:

There are current protections in the bill for the concerns you have. Additionally, the PUCN has codified in regulation, with respect to reentry fees that have to be paid and some charges to incur in order to return. It is my understanding that all the protections are in place. This bill will not change the safeguards.

I will explain the bill. There are three proposed amendments to S.B. 455. The first is to make some language changes to section 5, but with further discussion and reflection we will pull section 5 in its entirety. The second amendment is on page 3, subsection 2 of section 7 of the bill; we worked on this with the PUCN. This is language they have provided for us and to which we have agreed. It is appropriate to add this language to the bill to ensure the protection necessary for the existing consumer. The amendment will change section 7, subsection 2, paragraph (d) to become paragraph (e). The new paragraph (d) reads: "Information demonstrating that any agreement reached pursuant to section 4 of this act fully compensates the electric utility for such rights." The existing customer will not be subsidizing the exit by any particular customer. Amendment 3, again in consultation with the PUCN, with which there is an agreement by Shell Trading Gas and Power Company, changes section 11, subsection 3 by inserting additional language. With respect to additional transmission rights, it provides those rights will be subject to approval from the Commission. They will only be extended to the eligible customer or its new provider of electric resources on contract terms of not less than 10 years.

DON SODERBERG (Chairman, Public Utility Commission of Nevada):

With respect to the amendments Mr. Wellinghoff has presented, we believe Shell Trading Gas and Power Company has satisfied our concerns. We did not want to dismantle the existing protections placed there for the remaining customers. With regard to the new features of the bill, it is important that there be regulatory oversight to make sure the utility and its customers are fully compensated for anything the departing customer would take with them.

SENATOR CARLTON:

Would you call this deregulation?

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MR. SODERBERG:

I would call this no more deregulation than what is already on the books. It is a modification to the existing state policy and mechanism.

SENATOR CARLTON:

Will this make it easier or more difficult?

MR. SODERBERG:

I think it gives an existing customer the potential for another option.

SENATOR CARLTON:

Do you see this bill bringing more resources to the state?

MR. SODERBERG:

I do not know. We have had no customers in southern Nevada leave the system or bring new resources to the state. We have seen this in northern Nevada. There is no way to know right now.

SENATOR TIFFANY:

Is Shell Trading Gas and Power Company the only one who can take advantage of this bill as it has been presented? Is this good state public policy to add this to the bill?

MR. SODERBERG:

I do not see anything in this bill that is exclusive to Shell Trading Gas and Power Company. It gives the existing Nevada customers who qualify an option to seek buying power on the open market, but also to negotiate with the utility to take care of some of their needs. Nevada customers receive more flexibility. There may be no way to know which company will have an advantage or what the market will be in 6 months or 12 months from now.

SENATOR TIFFANY:

I am sure the bill will not name Shell Trading Gas and Power Company, but for now, they are the only ones who can take advantage of it.

MR. SODERBERG:

There are other companies that actually own power plants in Nevada that have been merchant generators and they may want to get back into the game of attempting to sell power on a direct basis.

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SENATOR TIFFANY:
Is this good public policy?

MR. SODERBERG:
I do think this is good public policy.

SENATOR TIFFANY:
Assuming that deregulation is what we want to do.

MR. SODERBERG:
Yes. I would not call this deregulation. No more than the earlier action in 2001.
It will not change it in any way.

ADRIANA ESCOBAR-CHANOS (Deputy Attorney General, Bureau of Consumer Protection, Office of the Attorney General):
I am here with Dr. Jim Polito of our office, the Bureau of Consumer Protection (BCP), Office of the Attorney General. I do have several questions I did not have a chance to ask of Mr. Wellinghoff earlier. We had a question on section 5, but it is now deleted. This question will address the majority of the concerns of the BCP. Section 3, regarding the Federal Energy Regulatory Commission (FERC) that it is altogether possible the Commission will be looking at this and the FERC may preempt the state at some point.

MR. WELLINGHOFF:
This is an issue because FERC will have a jurisdiction over transmission. The State will have jurisdiction as well. The bill is appropriate and will allow for proper state oversight to ensure customer protection.

MS. ESCOBAR-CHANOS:
This is the point I wanted to put on the record. With regard to section 11, there is some writing at the bottom of the amendment stating: "Such rights may only be extended to an eligible customer pursuant to a contract for surplus transmission capacity" (STC), my understanding is the idea of surplus transmission capacity but perhaps the more specific term might be, "available transmission capacity" (ATC) as there may be a distinction with this.

MR. WELLINGHOFF:
This language came from the PUCN. I basically wrote what they wanted in the bill. I would be open to other language.

MR. SODERBERG:

The concept of STC and ATC are two different issues. Right now there is ATC in a constrained grid because it is not being used at this time. We are making sure nothing like this will be transferred over and above the pro rata share to an exiting customer. This would hurt the remaining customers. We chose the word surplus in the event there was a surplus then the utility could negotiate for it.

MS. ESCOBAR-CHANOS:

This is the expectation we have as well. I wanted to make sure we had the same intention.

SENATOR TIFFANY:

How would the bond rating be affected if five of the big power users were to pull out? Would this put the bond rating in jeopardy?

MR. SODERBERG:

I see nothing in this bill that would impact the bond rating of the company in one direction or another.

SENATOR TIFFANY:

I am talking about the bond rating.

MR. SODERBERG:

This bill would have no effect on the bond rating.

SENATOR TIFFANY:

Perhaps, we could ask this question of Nevada Power Company. I would like to hear this from them.

MS. ESCOBAR-CHANOS:

I just consulted with Dr. Jim Polito who is very familiar with this issue. From our perspective, the earlier bill, A.B. No. 661 of the 71st Session, should take care of these concerns. I cannot speak to the bond issue.

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MICHAEL W. YACKIRA (Executive Vice President and Chief Financial Officer, Sierra Pacific Resources; Nevada Power Company; Sierra Pacific Power Company):

Senator Tiffany, I do not see any effect on the bond rating with respect to the proposal. The company is in opposition to some of the language in the bill.

VICE CHAIR HARDY:

Have you had the opportunity to look at the proposed amendment? Do your objections relate to the amendment?

MR. YACKIRA:

The objections relate to the amendment.

MS. ESCOBAR-CHANOS:

The BCP perspective is "bottom-line" assurances and safeguards. The same safeguards that were in the original bill must be present here. There should be no increased cost to the customer and reliability of the utility is essential. This is nonnegotiable from our perspective.

VICE CHAIR HARDY:

Do you see any compromise in the amendment?

MS. ESCOBAR-CHANOS:

I do not see anything that compromises our position, but Dr. Polito has a question.

JAMES A. POLITO, PH.D. (Senior Economist, Bureau of Consumer Protection, Office of the Attorney General):

Section 4 of the S.B. 455 allows departing customers to contract with the company utility for continued service. In southern Nevada, the company is Nevada Power Company. With this continuing obligation, we are concerned the departing customer's additional source of supply, for example, Shell Trading Gas and Power Company, may fail to deliver at a certain point in time. Then in the peak of the summer season Nevada Power Company would have the responsibility of meeting 100 percent of the needs of the departing customer. We need to make sure any contract between Nevada Power Company and the utility thoroughly protects remaining customers against such increased cost because of trying to find incremental power at the last minute. There is another concern we have with the lack of clarity in section 7, subsection 2, proposed

paragraph (d). Mr. Wellinghoff indicated earlier the rights to which he referred are the rights to draw energy capacity and solicit services from the company utility, but if we look at section 4 of the bill, the rights referred to there are transmission rights. This needs to be made clear. It compensates the utility and remaining customers for both the rights to draw the energy capacity and the rights for these expanded transmission rights.

MR. WELLINGHOFF:

With respect to the increment of power at the last minute, if Shell Trading Gas and Power Company's power is suddenly unavailable, the penalty provisions would be in effect. The PUCN would have full authority to ensure the existing ratepayers are fully protected. These protections are in existing law. Regarding the other concern Dr. Polito had about rights, the language in subsection 2 of section 7 was provided by the PUCN. We would have no problem if they want to expand on it.

MR. SODERBERG:

I agree with Mr. Wellinghoff's reading of the provision in the amendment. The complex nature of this issue means we have more need for regulatory oversight. We have had public comment to make sure there is nothing in the amendment to harm the existing customers. We share the same policy goals of the consumer advocate. If a modification to subsection 2, paragraph (d) is needed for clarification, this would be fine. A review and audit are in place to address any problems.

VICE CHAIR HARDY:

The intent is clear. We will have the Committee Counsel look at the amendment and make sure it achieves its objectives. Are there any additional comments?

THELMA CLARK (Silver Senator, Nevada Silver Haired Legislative Forum):

We do not have a copy of the amendment. I will not comment on the bill until I see the amendment.

VICE CHAIR HARDY:

We will fax them to you. Are there others who want to comment in favor of S.B. 455?

STEVE TABER (Energy Nevada):

I want to address some of the points raised earlier. Senator Carlton raised the idea of additional resources within Nevada. Nevada is rich in renewable energy, but it is poor in fossil fuel. Ultimately, to achieve energy self-sufficiency we will need to continue developing the State's renewable energy. We can build the plants here but we will still depend on out-of-state and foreign markets for fuel. With renewable energy, as we all know, the wind will not blow and the sun will not shine 24 hours a day for 7 days a week, so we need an available utility when our renewable energy is not able to serve the customer, but they need to turn on their lights. Senate Bill 455 can enable the utility to fill in those gaps.

MICHAEL HACKETT (Pinnacle West Capital Corporation):

We support S.B. 455. It will improve the process provided by A.B. No. 661 of the 71st Session. We want to highlight two issues as pointed out in our letter to Senator Townsend, dated April 11, 2005 ([Exhibit D](#)). Although transmission constraints have improved, we would like to see the PUCN enabled to effectively change the transmission especially for access to the eligible customers who do not want to exit the system. The other issue is related to section 4 of S.B. 455 having to do with energy capacity and ancillary services. We would like to see this offered to eligible customers at cost base rates. These are the two concerns we would like on the record at this time. We are willing to work with the Committee in any way possible with regard to this bill. We do support the amendment set forth today by Mr. Wellinghoff.

TERRY PAGE (Caithness Operating Company):

I am here representing APS Energy Services. The APS is a sister company to Pinnacle West Corporation which built the 500 megawatt Silver Hawk Plant in southern Nevada, 75-percent owned by Pinnacle West Corporation and 25-percent owned by Southern Nevada Water Authority. This was envisioned because of A.B. No. 661 of the 71st Session. It encouraged new resources that could sell to both the utility and retail customers. The APS has a significant bond rating, and we are a competitor with Shell Trading Gas and Power Company. We have built facilities in Nevada in anticipation of serving many varied customers.

MR. YACKIRA:

I am Executive Vice President of Sierra Pacific Power Company and Nevada Power Company. The company opposes this bill primarily because of some of the issues already addressed by Senator Carlton and Dr. Polito. The original bill,

passed in 2001, was meant to bring new resources to the table and free up resources with the remaining customers to be supported through growth or through the system. We see over time some customers have had a difficult time in securing power supplies. We believe it is because of the issues with respect to being an energy provider. There are many complexities ensuring the power is there when you need it. To the question of resources, the Sierra Pacific Power system has brought and will continue to bring new resources of energy to the table, securing power and identifying power resources they need in order to truly leave the system. I see this bill as putting us in conflict with our customers in a potential departure. The remaining customers are not to be harmed. There are pricing mechanisms to prevent harming the customer; the question of reliability will always come up. Considering the amount of growth we have and the amount of generation necessary to serve our load, we are building two new power plants in the south and planning to build one in the north. In the meantime, we are short with meeting the needs of the company and to assure customers they will not be harmed.

TERRY GRAVES (Saguaro Power Company):

I am here representing Nevada Independent Electric Coalition. Initially, we had concerns with this bill. Senator Tiffany's question spoke to our concern with the bond rating and possible financial harm to the utility. Mr. Yackira's response that there would be no financial impact was helpful. I want to be on the record as to these concerns about the bill.

STEVE K. WALKER (Truckee Meadows Water Authority):

We have not reviewed the amendments but we are pleased there will be protection for the existing customer. We still have some concerns with the large company and the reliability issue.

VICE CHAIR HARDY:

Committee, we have heard the concerns and now we will close the hearing on S.B. 455. I understand there is work to be done on S.B. 225. We will turn our attention to S.B. 238. There is a proposed consensus amendment ([Exhibit E](#)).

SENATE BILL 225: Making various changes relating to industrial insurance.
(BDR 53-975)

SENATE BILL 238: Revises provisions governing regulation of certain public utilities. (BDR 58-1156)

MR. SODERBERG:

There were two components to S.B. 238. There was a consensus on one portion of the bill but we seem to be apart on another section of the bill. This has to do with how we approach the issue of implementing a "future test year" mechanism of rate determination. Since that time representatives of Southwest Gas Company, the BCP and our office, the PUCN, have had some open, frank discussions about our concerns and how to find creative ways to alleviate these concerns. What we present today is an amendment that will do two things. It will create a mechanism that in the existing rate-making rubric we would allow a gas utility to bring forward verifiable future circumstances and those would at least be considered by the commission. This would not be conclusive. Other parties would have the right to argue their points in opposition or support. This would be implemented on passage of the bill. Secondly, we ask you to open an investigatory docket to examine the issue of future test year and all other types of rate making and to thoroughly weigh the issues and then report back in August 1, 2006, in advance of the next Legislative Session. This amendment gives us progress without moving too quickly forward.

VICE CHAIR HARDY:

This is representative of what we talked about in the hearing. Has everyone reviewed this amendment?

MS. CLARK:

I have not received any amendments. I have not read this. I sent you my amendment ([Exhibit F](#)). Did you receive it? I sent my concerns with the bill.

VICE CHAIR HARDY:

We have your amendment. Is there anyone who would like to be on the record with this bill?

MS. ESCOBAR-CHANOS:

This process has been interesting. The previous bills, S.B. 455 and S.B. 238, both protect the consumer, provide safeguards and notification. This is a measured, responsible approach to investigating the future test year and any other possible mechanism that may work for our state.

SENATOR TIFFANY:

Mr. Soderberg, can you tell me what verifiable future information means? I do not want a difference in standards from any other information that may be brought to you for setting rates.

MR. SODERBERG:

The word verifiable is "more clear." Any evidence brought to the Commission in a rate case is vetted, audited and verified. I think the word gives people comfort that the utility would not bring in all sorts of speculation. When you are looking to the future, there are some things we already know such as where there are growth rates, which subdivisions have been approved and we have been able to measure the decrease per capita of natural gas usage. We know new products that are more efficient. Verification reminds the utility that we will have to demonstrate everything we bring forth.

SENATOR TIFFANY:

Will there not be a different standard? All investigation will be handled the same.

MR. SODERBERG:

Yes, I do not see a different standard. Everything from a utility should be verified.

SENATOR CARLTON:

This language is very good. Sometimes, government moves slowly, making sure the right steps are being taken. This is a good proposal to move forward and begin to address these issues.

MS. CLARK:

I have not received the fax on this bill. I have some concerns with this bill.

CHAIR TOWNSEND:

Ask your questions and we will see if someone can answer them for you.

MS. CLARK:

We have so many. What is the cost to implement this by the PUCN, the BCP and the utility companies? The cost will be passed on to us. We need to know if you used the language in S.B. 238 on page 10, lines 5 and 6, which states the cost must be "prudently incurred"; and page 5, lines 44 and 45, that we should

not allow rates based on "estimated revenue to the utility"; page 5, lines 12 through 16, states the Commission shall consider evidence of the increased rates based on "actual recorded results of operations"; and page 6, lines 4 and 5, allows the Commission to base rates on "the statement submitted by the public utility" itself. This is old language in the bill. There are so many questions and things can happen with this bill, most of them negative to the consumer.

CHAIR TOWNSEND:

We have received your proposed amendment.

MS. ESCOBAR-CHANOS:

Ms. Clark, I have received a copy of your remarks. We have worked a tremendous amount of time on this bill. As a consumer advocate, I can tell you there are assurances for the consumer. With respect to the future test year, we will have all the information before the Legislature votes on it so they will have a good idea of what extra costs would occur. This is a very good solution. It protects the consumer.

MS. CLARK:

What is it going to cost the consumer advocate, the utility and the PUCN to implement this? There are costs that will be passed on to us. We all need to know.

MR. SODERBERG:

The bill that is before you with the amendment that is before you requires no large changes in how we do business. As far as the way we do rate making in the portions of the amendment we discussed today, the only extra exercise would be for the Commission to open an investigatory docket. This is part of our biennial budget all the time. We know we are going to do these things even if the subject matter is not completely laid out. This is all currently in our budget. The portion that has to do with the wholesale cost of the gas utility, the amendment that was passed last meeting, will reduce our costs because it will have the utility not coming in for multiple filings as they did in the last year. They will come in once and have a thorough examination at that time. There will be less Southwest Gas Corporation and Sierra Pacific Power Company cases coming before the Commission and therefore efficiency. We cannot say how much money will be saved, but the efficiency of the process will save money.

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SENATOR TOWNSEND:

I received a letter dated April 12, 2005, from Fred Schmidt regarding his testimony at the hearing on April 8, 2005, with respect to S.B. 238 ([Exhibit G](#)). The letter was requested by Don Soderberg, Chairman of the PUCN, asking Mr. Schmidt to clarify his testimony before the Committee that day. Mr. Schmidt has asked that the letter be made a part of the record of this meeting.

Ms. ESCOBAR-CHANOS:

With respect to the BCP resources, we are in a position and have existing resources to deal with the investigatory docket and anything else the proposals require. There are no additional costs.

SENATOR LEE:

This is an ongoing process. People will be there to protect the consumer. Ms. Escobar-Chanos will be there. Will the Nevada Silver Haired Legislative Forum be invited to this process?

Ms. ESCOBAR-CHANOS:

Yes, once it is finalized, I will meet with various consumer groups so we may have their input. We want them to be aware of the hearings and other information.

SENATOR LEE:

Basically, we will have the same amount of input that we have always had, only fewer meetings on rate cases and more information when looking at the future.

Ms. ESCOBAR-CHANOS:

Yes, there will be consumer sessions, notices and the same amount of input available to all consumers.

SENATOR CARLTON MOVED TO AMEND AND DO PASS S.B. 238.

SENATOR LEE SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS HARDY AND SCHNEIDER WERE ABSENT FOR THE VOTE.)

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CHAIR TOWNSEND:

We will open the hearing on S.B. 226.

[SENATE BILL 226](#): Limits amount that provider of health care is entitled to be paid for providing treatment or other services to injured employee under certain circumstances. (BDR 53-891)

SENATOR CARLTON:

This color mock-up is a replacement amendment for S.B. 226 ([Exhibit H](#)). I have received no opposition on the amendment. I stand ready to answer any questions.

CHAIR TOWNSEND:

While the mock-up amendment to S.B. 226 is being reviewed, we will look at Amendment No. 224 to S.B. 256 ([Exhibit I](#)). As I understand it, we do not take any action but we are to review this amendment and send it on.

[SENATE BILL 256](#): Revises certain provisions relating to regulation of public utilities. (BDR 58-655)

KEVIN POWERS (Committee Counsel):

The Committee reconsidered this amendment and they voted on it. Now it may be processed accordingly.

SENATOR CARLTON MOVED TO AMEND AND DO PASS S.B.226.

SENATOR SCHNEIDER SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR HARDY WAS ABSENT FOR THE VOTE.)

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CHAIR TOWNSEND:

There is no further business. The meeting of the Senate Committee on Commerce and Labor is adjourned at 10:55 a.m.

RESPECTFULLY SUBMITTED:

Shirley Parks,
Committee Secretary

APPROVED BY:

Senator Randolph J. Townsend, Chair

DATE: _____