

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 28, 2008

Date

Committee on Agriculture, Natural Resources & Energy.

After consideration on the merits, the Committee recommends the following:

HB08-1160 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 2, line 7, strike "**metering.**" and substitute  
2 "**metering - rules.**".

3 Page 3, strike lines 22 through 26 and substitute the following:

4 "INSURANCE REQUIREMENTS, AND EXCEPT THAT THE PUBLIC UTILITIES  
5 COMMISSION SHALL INITIATE A RULE-MAKING PROCEEDING NO LATER  
6 THAN OCTOBER 1, 2008, FOR THE PURPOSE OF ADDRESSING COOPERATIVE  
7 ELECTRIC ASSOCIATION SYSTEM ISSUES IN ITS SMALL GENERATOR  
8 INTERCONNECTION PROCEDURES.";

9 line 27, strike "CUSTOMER."

10 Page 4, line 15, after the period, add "IF THE COOPERATIVE ELECTRIC  
11 ASSOCIATION DENIES INTERCONNECTION TO A CUSTOMER-GENERATOR  
12 THAT HAS REQUESTED INTERCONNECTION OF A SYSTEM WITH A CAPACITY  
13 OF TWENTY-FIVE KILOWATTS OR LARGER, THE ASSOCIATION SHALL  
14 PROVIDE A WRITTEN TECHNICAL OR ECONOMIC EXPLANATION OF SUCH  
15 DENIAL TO THE CUSTOMER.

16 (3) THE COOPERATIVE ELECTRIC ASSOCIATION AND THE  
17 CUSTOMER-GENERATOR SHALL INDEMNIFY, DEFEND, AND SAVE THE OTHER  
18 PARTY HARMLESS FROM ANY AND ALL DAMAGES, LOSSES, OR CLAIMS,  
19 INCLUDING CLAIMS AND ACTIONS RELATING TO INJURY TO OR DEATH OF

1 ANY PERSON OR DAMAGE TO PROPERTY, DEMAND, SUITS, RECOVERIES,  
2 COSTS AND EXPENSES, COURT COSTS, ATTORNEY FEES, AND ALL OTHER  
3 OBLIGATIONS BY OR TO THIRD PARTIES, ARISING OUT OF OR RESULTING  
4 FROM THE OTHER PARTY'S ACTION OR FAILURE TO ACT IN RELATION TO  
5 ANY OBLIGATIONS UNDER THIS SECTION, EXCEPT IN CASES OF GROSS  
6 NEGLIGENCE OR INTENTIONAL WRONGDOING BY THE INDEMNIFIED  
7 PARTY."

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