



GARY HERBERT.  
*Governor*  
GREG BELL  
*Lieutenant Governor*

State of Utah  
Department of Commerce  
Division of Public Utilities

FRANCINE GIANI  
*Executive Director*

THAD LEVAR  
*Deputy Director*

CHRIS PARKER  
*Director, Division of Public Utilities*

## ACTION REQUEST RESPONSE

To: Utah Public Service Commission

From: Division of Public Utilities  
Chris Parker, Director  
Artie Powell, Manager, Energy Section  
Charles Peterson, Technical Consultant  
Thomas Brill, Technical Consultant

Subject: Rocky Mountain Power correspondence proposing extension of the Company's Network Performance Standards and Customer Guarantees, Docket No. 11-035-195.

Date: December 13, 2011

### **RECOMMENDATION (Acknowledgement)**

The Division of Public Utilities (Division) recommends that the Commission acknowledge Rocky Mountain Power's statement that it anticipates extending its current network performance standards and customer guarantees programs until the rulemaking in Docket No. 11-035-195 is completed and the current programs are modified or continued under the new rule.

### **BACKGROUND**

In a letter dated November 10, 2011, Rocky Mountain Power (RMP, or Company), a division of PacifiCorp, proposed to the Public Service Commission (Commission) that it intended to extend its current network performance standards and customer guarantees programs after December 31, 2011. The Commission has previously initiated rulemaking in Docket No. 11-999-05 to address

service reliability and continuity of service quality programs after December 31, 2011. The December 31, 2011 is the nominal date for the end of the service quality and customer guarantee commitments the Company made as part of MidAmerican Energy Holding Company's acquisition of PacifiCorp in Docket No. 05-035-54.

The Commission issued an action request to the Division on November 15, 2011 with a due date of December 15, 2011. This memorandum is the Division's response to that action request.

## **DISCUSSION**

The Company proposes to extend the current service quality and customer guarantee programs until such time as the current or new programs are implemented as a result of the rulemaking process in Docket No. 11-999-05. The extension proposal is based upon the commitments the Company made in the PacifiCorp acquisition Docket No. 05-035-54. The relevant commitment is General Commitment 45 (C45), which is quoted below:

**C45: Customer Service Standards: MEHC and PacifiCorp commit to continue customer service guarantees and performance standards as established in each jurisdiction, provided that MEHC and PacifiCorp reserve the right to request modifications of the guarantees and standards after March 31, 2008, and the right to request termination (as well as modification) of one or more guarantees or standards after 2011. The guarantees and standards will not be eliminated or modified without Commission approval.**

As indicated by C45 the Company cannot terminate or modify the current customer service guarantees and performance standards without Commission approval. Therefore, the Division understands the Company's correspondence dated November 10, 2011 and filed with the Commission to mean that the Company is not requesting the termination or modification of the current network performance standards and customer guarantees programs until the rulemaking in Docket No. 11-035-195 is completed and the current programs are modified or continued under the new rule.

With this understanding of the correspondence together with C45, the Division recommends that the Commission acknowledge the Company's intention to continue current programs as described above.

CC: Jeffrey K. Larsen, PacifiCorp  
David Taylor, PacifiCorp  
Michele Beck, Office of Consumer Services