

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of Rocky Mountain Power for Approval to Cancel Schedule 194

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DOCKET NO. 13-035-136

ORDER

ISSUED: September 13, 2013

By The Commission:

On August 14, 2013, Rocky Mountain Power, a division of PacifiCorp (“PacifiCorp”), filed an application (“Application”) for approval to cancel Schedule 194 – Demand Side Management Cost Adjustment Credit. PacifiCorp’s Application requests cancellation of Schedule 194 to fund improvements to Electric Service Schedule 114 – Air Conditioner Direct Load Control Program (A/C DLC), also branded as Cool Keeper.

In its Application, PacifiCorp indicates it is not requesting changes to the Cool Keeper program. PacifiCorp does indicate, however, that based on the results of a Request for Proposal (“RFP”) conducted in 2012, PacifiCorp selected a utility-owned two-way communicating air conditioning load control system.¹ PacifiCorp states this decision was based on consideration of pricing, commercial risk, program performance and technical evaluation performed during the RFP process. The Company further indicates continuation of the Cool Keeper program will result in increased costs that will need to be funded by the remaining Schedule 194 balance.

Pursuant to the Commission’s August 20, 2013, Notice of Filing, Comment Period and Hearing, the Utah Division of Public Utilities (“Division”), Utah Office of Consumer

¹ According to PacifiCorp and the Office, the Cool Keeper contract with Converge, the prior program vendor, expired in August, 2013.

Services (“Office”), Utah Clean Energy (“UCE”) and Comverge, Inc. (“Comverge”) filed comments on the Application on August 29, 2013. On September 5, 2013, Comverge and PacifiCorp filed reply comments. On September 12, 2013, the Commission held a duly-noticed hearing where witnesses from PacifiCorp, the Division, Office, UCE and Comverge provided testimony.

The Division, Office and UCE recommend approval of the Application and state cancellation of Schedule 194 is in the public interest. Comverge opposes approval of the Application because it asserts it can deliver the Cool Keeper program at a lower cost.

The Division indicates through comments and testimony that it intends to review and audit costs and expenditures associated with the Cool Keeper program. The Division further testified that, if during such an audit, it were to discover an issue with respect to the cost-effectiveness or prudence of the potential incremental costs associated with continuation of the Cool Keeper program, the Division would take appropriate action before the Commission to seek disallowance and potential refund to the customers of PacifiCorp.

Based on the comments and testimony provided in this docket, and consistent with UCA §§ 54-3-1 and 54-4-4 and our prior decisions in Docket Nos. 02-035-T12, 09-035-T08, and 09-035-27, the Commission approves PacifiCorp’s Application with an effective date of September 15, 2013. Based on the Company’s testimony, we find the continuation of the Cool Keeper program, as approved in Docket No. 11-035-T03, is reasonable, in the public interest, and will provide for a cost-effective resource for customers.

To facilitate the Division’s review of the potential incremental costs associated with changes to the Cool Keeper program, we direct the Company to:

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1. Track any costs and expenditures under the Cool Keeper program, including the total funds made available from the cancellation of Schedule 194; and
2. Provide a detailed auditable report of all expenditures associated with the Cool Keeper program in the semi-annual reports filed with the Commission consistent with our order in Docket No.09-035-T08, dated August 25, 2009.

DATED at Salt Lake City, Utah, this 13th day of September, 2013.

/s/ Jordan A. White
Presiding Officer

Approved and Confirmed this 13th day of September, 2013, as the Order of the
Public Service Commission of Utah.

/s/ Ron Allen, Chairman

/s/ David R. Clark, Commissioner

/s/ Thad LeVar, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DW#247179

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on the 13th day of September, 2013, a true and correct copy of the foregoing ORDER was served upon the following as indicated below:

By Electronic-Mail:

Data Request Response Center (datarequest@pacificorp.com)
PacifiCorp

Lisa Romney (lisa.romney@pacificorp.com)
Daniel E. Solander (daniel.solander@pacificorp.com)
Rocky Mountain Power

By Hand-Delivery:

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Administrative Assistant