# - BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -) In the Matter of the Application of Rocky ) DOCKET NO. 13-035-89 Mountain Power for Authority to Cancel ) Electric Service Schedules No. 115, 125, 126, ) and 192; Approve Schedule No. 140 ) ORDER )

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## ISSUED: June 28, 2013

By The Commission:

On May 21, 2013, PacifiCorp, d/b/a Rocky Mountain Power ("Company"), filed an application ("Application") for authority to cancel the following commercial and industrial demand-side management ("DSM") programs ("Business Programs") currently established within: Electric Service Schedule No. 115 ("Commercial and Industrial Energy Efficiency Incentives Optional for Qualifying Customers"); Electric Service Schedule No. 125 ("Commercial and Industrial Energy Services Optional for Qualifying Customers"); Electric Service Schedule No. 126 ("Utah Commercial and Industrial Re-Commissioning Program"); and Electric Service Schedule No. 192 ("Self-Direction Credit"). In place of the foregoing schedules, the Company requests approval of a new Electric Service Schedule No. 140 ("Non-Residential Energy Efficiency"), with an effective date of July 1, 2013.

The Company indicates the current structure of Business Programs with differing program requirements and various incentive offerings creates a level of complexity that impedes participation and performance. In addition, the Company indicates many of these programs provide incentives for capital development projects rather than for energy efficiency improvements, further inhibiting participation.

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In an effort to mitigate these barriers to participation the Company seeks approval to: (1) consolidate and streamline its Business Programs; (2) provide incentives for customers seeking dedicated project management resources; and (3) expand the current offerings for energy efficiency savings associated with changes to operations, maintenance and behavior. To achieve these outcomes, the Company requests the Commission approve a new Electric Service Schedule No. 140, Non-Residential Energy Efficiency ("Schedule 140").

The Company asserts the proposed Schedule 140 consolidates the various programs contained in the current Business Programs and expands energy efficiency incentive offerings. The Company indicates this will reduce administrative complexity and will shift the focus from single project development to a new direction centered on ongoing energy efficiency savings through construction, and improvements to buildings, equipment and operations. The Company represents the program changes occurring with the proposed Schedule 140 are costeffective and were vetted with the DSM Steering Committee.

On May 22, 2013, the Commission issued a notice of filing and comment period. On May 23, 2013, the Commission issued an action request to the Division of Public Utilities ("Division") for a review of the Company's filing. On June 12, 2013, the Commission received comments from the Division, the Office of Consumer Services ("Office"), and the Utah Association of Energy Users ("UAE"), each recommending approval of the Company's proposed Schedule 140.

In its initial comments, the Office noted that Attachment A of the Company's filing, referring to a table on original Tariff Sheet No. 140.2 is mislabeled. On June 17, 2013, the Company made a filing ("Errata Filing") indicating that in addition to the errors identified by the

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Office on tariff sheet 140.2, other tariff language corrections were made to tariff sheets 140.3 and 140.18. The Company represents the Errata Filing corrects these errors. On June 20, 2013, the Office filed comments indicating the Errata Filing corrects the tariff language errors identified by the Office and the Company.

### <u>ORDER</u>

Wherefore, pursuant to the foregoing discussion, findings and conclusions made herein, we order:

- Electric Service Schedule No. 115 Commercial and Industrial Energy Efficiency Incentives Optional for Qualifying Customers; Electric Service Schedule No. 125
   Commercial and Industrial Energy Services Optional for Qualifying Customers; Electric Service Schedule No. 126 - Utah Commercial; and Industrial Re-Commissioning Program, and Electric Service Schedule No. 192 - Self-Direction Credit are canceled.
- Electric Service Schedule No. 140 Non-Residential Energy Efficiency is approved with the modifications to the tariff language in tariff sheets 140.2, 140.3, and 140.18, as contained in the Errata Filing, with an effective date of July 1, 2013.

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DATED at Salt Lake City, Utah, this 28<sup>th</sup> day of June, 2013.

/s/ Ron Allen, Chairman

/s/ David R. Clark, Commissioner

/s/ Thad LeVar, Commissioner

Attest:

/s/ Gary L. Widerburg Commission Secretary D#245201

### Notice of Opportunity for Agency Review or Rehearing

Pursuant to §§ 63G-4-301 and 54-7-15 of the Utah Code, an aggrieved party may request agency review or rehearing of this Order by filing a written request with the Commission within 30 days after the issuance of this 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 does not grant a request for review or rehearing within 20 days after the filing of the request, 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 §§ 63G-4-401 and 63G-4-403 of the Utah Code and Utah Rules of Appellate Procedure.

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# CERTIFICATE OF SERVICE

I CERTIFY that on the 28<sup>th</sup> day of June, 2013, a true and correct copy of the foregoing was served upon the following as indicated below:

By Electronic Mail:

Data Request Response Center (<u>datarequest@pacificorp.com</u>) PacifiCorp

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

By Hand-Delivery:

Division of Public Utilities 160 East 300 South, 4<sup>th</sup> Floor Salt Lake City, Utah 84111

Office of Consumer Services 160 East 300 South, 2<sup>nd</sup> Floor Salt Lake City, Utah 84111

Administrative Assistant