



PublicService Commission <psc@utah.gov>

Docket Number: 14-035-116

1 message

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To: psc@utah.gov

In the Matter of the Disposition of Remaining Unused Credits Associated with Excess Customer-Generated Electricity

I disagree with the outcome of docket order 14-035-116 that allocates unused net-metering credits to RMP's low income assistance program. Although it is preferable to allowing PacifiCorp to acquire said credits without accounting, the decision fails to compensate producers for supplying a commodity that the corporation will profit by.

The argument that the commodity no longer belongs to power producers because of the expiration of "annualized credits" seems blatantly unfair. It is curious to me that in the decision, the commission assigns value to something the corporation has historicly claimed has no worth. Now that they can use it as a tax write off, they want to maximize it's worth. This situation is like a distributor being able to confiscate and sell a farmers crops because some arbitrary date has passed. What other entity can legally confiscate a commodity without compensation?

Utah Code Ann. § 54-15-104(4), states as follows:

At the end of an annualized billing period, an electrical corporation's avoided cost value of remaining unused credits described in Subsection (3)(a) shall be granted:

- (a) to the electrical corporation's low-income assistance programs as determined by the commission; or
- (b) for another use as determined by the commission.

The answer should have been;

- (b) Compensate power producer for the commodity.
- or,
- (b) Have unused credits never expire.

At the very least, the commission should -as the "Office" and the "Division" recommends- allow net-metering customers the possibility to "properly size systems to offset part or all of a net metering customer's requirements for electricity. As such, consistent with the legislative intent of the Net Metering Code"

Currently, with credits expiring just as the warm summer months approach makes it unreasonable to do so.

I would mirror Mr. Sam Lentz opinion that it would be appropriate to structure the reallocation to be a tax-deductible charitable donation by the net-metering customer

In this light, I believe the Commission has failed the public trust for which it was formed; to protect consumers from abusive practices by a government sanctioned monopoly.