



State of Utah
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Division of Public Utilities

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ACTION REQUEST RESPONSE

To: Public Service Commission

From: Division of Public Utilities
Chris Parker, Director
Energy Section
Artie Powell, Manager
Doug Wheelwright, Technical Consultant
Eric Orton, Utility Analyst

Date: November 4, 2015

Subject: Action Request in Docket 15-031-T04, Mt Wheeler Power Co. Inc.

RECOMMENDATION

The Division of Public Utilities (Division) recommends that the Public Service Commission of Utah (Commission) acknowledge the change to the Mt. Wheeler Power Co. Inc. (Mt. Wheeler) tariff with an effective date of October 13, 2015.

BACKGROUND

On October 13, 2015, the Mt. Wheeler board approved the tariff language specifying the new times Mt. Wheeler's office would be open in the winter months. Mt. Wheeler's customers were notified through internet, email, and direct mail of the proposed change. On October 26, 2015, Mt. Wheeler submitted the tariff change to the Commission for acknowledgement. On November 2, 2015, the Commission issued an Action Request to the Division directing it to perform an investigation. This is the Division's response to that Action Request.

ISSUE

Mt Wheeler is changing one section of the “Rule 1 Definitions” part of its tariff. The specific change is under the heading “Regular Office Hours”. Mt. Wheeler is changing its office hours in the winter months (normally November through April) from 7:30 a.m. to 4:00 p.m., to the new office hours of 8:00 a.m. to 5:00 p.m.

No other changes were made.

DISCUSSION

The Division has reviewed Mt Wheeler’s filing, attached tariff sheets and has spoken with a Mt. Wheeler representative. The language in the new tariff sheets offered with this filing shows a slightly longer time period for customers to access staff at Mt. Wheeler’s office in the winter months.

Once again the approval dates for this filing put the Division in an awkward position. This change was approved by Mt Wheeler’s board the same day that the Commission was notified and the same day the change is to become effective. According to Utah Code (54-3-3) and Commission Rule (R 746-405-2-E.2) the effective date of tariff changes should be no sooner than 30 days after the date that notice is filed with the Commission. The proposed changes should have been filed with the Commission no sooner than 30 days before the effective date on the tariff. This did not happen with this filing. However, after reviewing the effects of the change, it is the Division’s opinion that it is unlikely that any Utah customer will be harmed.

CONCLUSION

The Division discussed with the Mt. Wheeler representative the proper time to notify the Commission of tariff changes. He committed to begin an internal initiative that will examine its processes so that in the future the Commission can receive the 30 day notification prior to effective date as it should. For the above reasons, the Division recommends the Commission

acknowledge the change to Mt. Wheeler's Tariff change with an effective date of October 13, 2015 and make them available for public inspection.

CC: Randy Ewell, General Manager, Mt. Wheeler Power Co.

Maria Wright, Division of Public Utilities

Mike Peterson, Director Utah Rural Electric Association

Michele Beck, Office of Consumer Services