



State of Utah  
Department of Commerce  
Division of Public Utilities

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## ACTION REQUEST RESPONSE

To: Utah Public Service Commission

From: Utah Division of Public Utilities

Chris Parker, Director

Artie Powell, Energy Section Manager

Bob Davis, Utility Analyst

Date: November 6, 2015

Re: **Docket No. 15-035-61 Rocky Mountain Power Compliance Filing – Final Form Schedule 73**  
In the Matter of the Application of Rocky Mountain Power for Approval of its Subscriber Solar Program (Schedule 73)

### RECOMMENDATIONS - (APPROVAL)

The Division of Public Utilities (Division) recommends that the Public Service Commission (Commission) approve Rocky Mountain Power's (Company) Compliance Filing (Filing) for Schedule 73, "Subscriber Solar Program Rider - Optional." The Division has reviewed Schedule 73 and determined that the Company has complied with the Commission's October 21, 2015, Order<sup>1</sup>.

### ISSUE

On October 26, 2015, the Company filed its Compliance Filing with the Commission. The Filing consists of a cover letter, tariff pages 73.1 through 73.4 and Index B, "Fourth Revision of Sheet No. B." The Company proposes an effective tariff date of October 21, 2015. On the same date as the Company's filing, the Commission issued an action request to the Division to review the Filing for compliance and to make recommendations. The Commission requested the Division to complete its review by November 25, 2015.

### DISCUSSION

In compliance with the Commission's Order, the Company submitted its Filing with the Commission on October 26, 2015. The Division has reviewed the Filing in light of the

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<sup>1</sup> Docket No. 15-035-61, "Order Approving Amended Settlement Agreement," issued October 21, 2015.

Commission's Order and Amended Stipulation, and determined that the language and form contained within the Filing is compliant. The Division notes that the Company did not make an affirmative statement in its cover letter that "the proposed tariff sheets do not constitute a violation of state law or Commission rule" per R746-405-2(D)(3)(g). In addition to requiring an explicit affirmation, the rule states that, "The filing of proposed tariff sheets shall of itself constitute the representation of the filing utility that it, in good faith, believes the proposed sheets or revised sheets to be consistent with applicable statutes, rules and orders." The Division does not believe the tariff sheets violate any applicable statutes or rules and, therefore, accepts the Company's filing as an implied affirmative representation as such.

### **CONCLUSION**

The Division concludes that the Filing accurately implements the Commission's Order, and recommends approval.

CC: Jeffrey K. Larsen, RMP  
Bob Lively, RMP  
Michele Beck, OCS