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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of Rocky
Mountain Power to Implement Programs
Authorized by the Sustainable Transportation
and Energy Plan Act

Docket No. 16-035-36

SIERRA CLUB PETITION TO INTERVENE

Pursuant to Utah Code Ann. § 63G-4-207 and Rule R746-100-7, Sierra Club hereby petitions for leave to intervene in this docket. In support of its petition, Sierra Club states as follows:

1. Sierra Club petitions to intervene in this proceeding on behalf of itself and its approximately 4,000 members who live and purchase utility services in Utah, many of whom are residential customers of PacifiCorp (“the Company”).
2. Sierra Club’s petition for leave to intervene is timely filed.
3. The interests of Sierra Club and its members will not be adequately represented by any other party to this proceeding.
4. The legal rights and interests of Sierra Club and its members may be substantially affected by this proceeding.
5. On August 18, 2016, the Company noticed its intent to file an application for the approval of several initiatives, including an electric vehicle (“EV”) incentive program, as authorized by the Sustainable Transportation and Energy Program (“STEP”). STEP, known also as Senate Bill 115, was passed on March 29, 2016 and is codified at Utah Code Ann. § 54-20-101, *et seq.*
6. On August 19, 2016, the Commission issued a notice inviting “any interested party to provide notice to the Commission of their desire to provide input on the proposed EV incentive program” prior to a formal Company filing for Commission approval, a right that is provided under STEP.¹ In response, Sierra Club submitted a letter to the Commission on September 8, 2016, stating its desire to provide input on the proposed EV incentive program.²

¹ See Utah Code Ann. § 54-20-103(3)(d) (requiring that before the utility seeks approval from the Commission for the EV incentive program, it must seek input from: (a) the Division of Public Utilities; (b) the Office of Consumer Services; (c) the Division of Air Quality; and (d) any person that files a request for notice with the commission).

² *Notice of Sierra Club*, Docket No. 16-035-36, In the Matter of Rocky Mountain Power to Implement Programs Authorized by the Sustainable Transportation and Energy Plan Act (September 12, 2016). Sierra Club was the only party to file notice in response to the Commission’s Notice dated August 18, 2016.

7. On September 12, 2016, PacifiCorp filed its application for the approval of a number of programs under STEP, including the EV incentive program, clean coal technology programs, and additional “innovative utility” programs.

8. On September 26, 2016, the Commission issued a scheduling order that limited the scope of review to certain proposed programs for “Phase One” of this proceeding. The programs that will be considered in Phase One are: (1) a proposed line item charge and attendant tariff and accounting issues; (2) a proposed Gadsby power plant curtailment; (3) a solar and energy storage technology program; and (4) a portion of PacifiCorp’s clean coal technology program, specifically two programs intended to limit nitrogen oxide emissions at Utah coal-fired power plants.

9. The programs that will be addressed in the next phase(s) of this proceeding include the electric vehicle incentive program, a substation metering program, and additional clean coal technology programs.

10. The interests of Sierra Club and its members in protecting and enhancing the quality of ambient air and water throughout Utah will be favorably affected if PacifiCorp acts to displace its fossil fuel generation through renewable energy, energy efficiency, energy storage and demand response programs, and supports widespread transportation electrification through programs designed to lower barriers to electric vehicle adoption. Sierra Club and its members are concerned with carbon emissions that contribute to climate change, and with pollution from non-renewable fossil fuel sources that can result in a host of health problems including asthma, mercury poisoning, sudden infant death syndrome, and respiratory, cardiovascular, and reproductive harms. To limit these climate and public health impacts, Sierra Club actively supports the increased use of renewable generating resources, increased energy efficiency, and

the acceleration of transportation electrification, among other measures. Sierra Club has not fully determined the specific positions it will take in this matter, but seeks to intervene for purposes of protecting its interests as they arise.

11. The interests of justice and the orderly and prompt conduct of this proceeding will not be materially impaired by allowing Sierra Club to intervene.

12. Notices in this proceeding should be sent to the following persons:

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13. Gloria Smith is an attorney in good standing and licensed to practice law in California (CA Bar No. 200824). Ms. Smith is a full-time employee of Sierra Club and is therefore authorized to represent Sierra Club's interests in this proceeding pursuant to Rule R746-100-6(b).

14. Travis Ritchie is an attorney in good standing and licensed to practice law in California (CA Bar No. 258084). Mr. Ritchie is a full-time employee of Sierra Club and is therefore authorized to represent Sierra Club's interests in this proceeding pursuant to Rule R746-100-6(b).

15. Joseph Halso is an attorney in good standing and licensed to practice law in Colorado (CO Bar No. 48666). Mr. Halso is a full-time employee of Sierra Club and is therefore authorized to represent Sierra Club's interests in this proceeding pursuant to Rule R746-100-6(b).

WHEREFORE, Sierra Club requests leave to intervene in this proceeding to protect its interests and the interests of its members as they may appear.

DATED this 7th day of October, 2016.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J Halso", with a stylized flourish at the end.

Joseph Halso
Attorney for Sierra Club