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DEPARTMENT OF COMMERCE
Office of Consumer Services

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To: The Public Service Commission of Utah

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Date: May 9, 2019

Subject: Docket No. 16-035-T05, Advice No. 16-04, Modifications to
Schedule No. 94, Energy Balancing Account

Background

On April 14, 2016, Rocky Mountain Power (“RMP” or: Company”) filed proposed revisions to Electric Schedule No. 94, Energy Balancing Account (“EBA”) with the Public Service Commission of Utah (“Commission”). Intervenors in this docket filed initial comments with the Commission on May 2, 2016 in response to the Company’s proposed tariff modifications.

Discussion

The Office reviewed initial comments from intervenors in this Docket and identified two issues for Commission to consider. First, the Office concurs with the Utah Association of Energy Users (“UAE”) that the 100% EBA sharing band is time limited and should be noted in the tariff. The Office would recommend the following change to its initial tariff proposal to the Commission:

The mechanism to collect or refund 70% of the accumulated difference between Base EBAC and Actual EBAC through May 31, 2016. Pursuant to Utah Code Section 54-7-13.5(2)(d) amended in the 2016 general session of the Utah state legislature, accumulated differences beginning June 1, 2016

through December 31, 2019 will be collected or refunded 100%.
(Italics added)

Second, the Office notes that other intervenors commented that the EBA Pilot Program is extended beyond the current EBA Program Pilot conclusion date. In contrast, the Office filed initial comments in opposition to the Company's elimination of pilot program language from the Schedule 94 tariff sheets but did not recommend the extension of the pilot time period beyond December 2016 as already approved.¹

The Office recommends that the evaluation of the pilot proceed as currently scheduled. The Division of Public Utilities ("Division" or "DPU") will file its EBA Evaluation Report later this month and parties can file comments as to whether or not the EBA is in the public interest by the end of 2016. However, the Office also notes that the Commission must report on the EBA to the Public Utilities and Technology Committee in both 2017 and 2018 and may want to adjust the pilot evaluation timeline to better meet its needs in making such future reports. If so, the Office requests that the Commission provide guidance as to when the EBA Pilot Program would be concluded and assessed as to whether the EBA program is in the public interest.

¹ See Settlement Stipulation, p. 7 in the Report and Order for Docket 13-035-184.