



State of Utah

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Public Service Commission

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Commissioner

August 9, 2018

Mr. Josh Dellinger
General Manager
Empire Electric Association, Inc.
P.O. Box K
Cortez, CO 81321

Re: *Empire Electric Association, Inc.'s Out-of-State Distribution Electric Cooperative
Exemption Certification (Docket No. 18-025-03)*

Dear Mr. Dellinger:

The Public Service Commission of Utah (PSC) reviewed Empire Electric Association's (Empire) June 12, 2018 correspondence notifying the PSC that it meets the criteria set forth in Utah Code Ann. (UCA) § 54-2-202 as an out-of-state distribution electrical cooperative exempt from PSC jurisdiction. Empire states it is a distribution electrical cooperative exempt from PSC jurisdiction because: 1) Empire has not been previously headquartered in Utah nor has it maintained its principal place of business in Utah; 2) Empire serves fewer than 25,000 total customers; and 3) less than 20 percent of Empire's total power sales occur in Utah. Empire certifies that it is subject to the applicable laws, rules, and regulations of the State of Colorado.

The PSC acknowledges that Empire has asserted it satisfies the requirements of UCA § 54-2-202 and has claimed exemption from PSC jurisdiction as outlined in that statute.

Sincerely,

/s/ Gary L. Widerburg

PSC Secretary

DW#303870