

August 7, 2019

***VIA ELECTRONIC FILING***

Utah Public Service Commission  
Heber M. Wells Building, 4<sup>th</sup> Floor  
160 East 300 South  
Salt Lake City, UT 84114

Attention: Gary Widerburg  
Commission Administrator

**RE: Docket No. 19-035-09**

In the Matter of the Application of Rocky Mountain Power for Approval of the Master Electric Service Agreement Between PacifiCorp and Utah Refractories Corporation

On March 13, 2019, Rocky Mountain Power (“Company”) filed its Application for Approval of the Master Electric Service Agreement between the Company and Utah Refractories Corporation (“Refractories MESA”). In accordance with the Scheduling Order and Notice of Hearing issued March 22, 2019, by the Public Service Commission of Utah (“Commission”), the Division of Public Utilities (“Division”) and Office of Consumer Services (“Office”) each filed comments. The Division and the Office will sometimes be referred to individually as a “Party” and, collectively, as “Parties.” The Division and Office each recommended that the Commission approve the Refractories MESA on the condition that the Company amend the contract to include a provision in the Refractories MESA that if Utah Refractories is still a customer in five years from the date of Commission approval and is still taking service as specified in the Refractories MESA, the Company will file with the Commission for approval to continue the agreement.

The Company agreed to the recommendation of the Parties both in reply comments filed June 12, 2019, and at the hearing on June 25, 2019. The Commission determined, after consulting with the Parties, that it would wait to issue an order until the amendment was filed, which was memorialized in its Notice in this docket on July 30, 2019. Attachment A included with this filing is the executed Amendment to the Refractories MESA (“Amendment”), reflecting the language agreed to by Company. As discussed at the hearing, the Company worked with the Parties on the language of the Amendment and is authorized to represent that the Amendment resolves the Parties’ stated concerns in this docket.

Rocky Mountain Power respectfully requests that all formal correspondence and requests for additional information regarding this filing be addressed to the following:

By E-mail (preferred): [datarequest@pacificorp.com](mailto:datarequest@pacificorp.com)  
[Jana.saba@pacificorp.com](mailto:Jana.saba@pacificorp.com)

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By regular mail:                      Data Request Response Center  
   PacifiCorp  
   825 NE Multnomah, Suite 2000  
   Portland, OR 97232

Informal inquiries may be directed to Jana Saba at (801) 220-2823.

Sincerely,

A handwritten signature in blue ink that reads "Joelle Steward". The signature is written in a cursive, flowing style.

Joelle Steward  
Vice President, Regulation

Service List: Docket No. 19-035-09

## **Attachment A**

Amendment to the Master Electric Service Agreement

## FIRST AMENDMENT TO MASTER ELECTRIC SERVICE AGREEMENT

This **FIRST AMENDMENT TO MASTER ELECTRIC SERVICE AGREEMENT** ("Amendment") is entered into by and between PACIFICORP, an Oregon Corporation ("Company") and Utah Refractories Corporation, a Pennsylvania Corporation, ("Customer"), each a "Party" and together, the "Parties."

### RECITALS

WHEREAS, the Parties as defined above entered into that certain **MASTER ELECTRIC SERVICE AGREEMENT** executed by Customer on February 7, 2019, and by Company on March 6, 2019, (the "Agreement"), for Company to provide firm power and energy to Customer's facilities; and

WHEREAS the Parties as defined above desire to amend the Agreement as set forth below.

### AGREEMENT

NOW, THEREFORE, THE AGREEMENT IS HEREBY AMENDED AS FOLLOWS:

#### Section 2.01 Term

This Agreement shall be effective upon the date of Rocky Mountain Power's initial delivery of electric power and energy to Customer in accordance with this Agreement, which date shall be memorialized by the parties in an addendum to this Agreement signed by both Parties, and shall remain in full force and effect for a period of (1) year thereafter. This Agreement shall automatically be renewed from year to year subject to the same terms and conditions, unless either Party submits written termination notice to the other Party not less than thirty (30) nor more than sixty (60) days prior to expiration of the initial term or any renewal term; provided, however, Customer may not terminate this Agreement so long as it is receiving electric service from Rocky Mountain Power. The Parties agree that before the Agreement is renewed for an additional term five (5) years after its approval by the Commission, Rocky Mountain Power shall submit an application to the Commission to determine if the Agreement continues to be just, reasonable, and in the public interest.

#### Section 2.02 Condition Precedent

The Parties acknowledge that approval of this Agreement, and any additional renewals five (5) years after its initial approval, by the Commission is a condition precedent to its effectiveness. The Parties agree to use good faith efforts to obtain Commission approval. In the event the Commission does not approve this Agreement, the Parties agree to work together in good faith to negotiate a new agreement.

Except as modified herein, all other terms and conditions of the Agreement remain in full force and effect.

EXECUTED IN DUPLICATE AS OF THE DATES SET FORTH BELOW.

PACIFICORP, an Oregon corporation.

By: Curt Mansfield

Name: Curt Mansfield

Title: V.P. Operations

Date Signed: 8/5/2019

CUSTOMER:

UTAH REFRACTORIES CORPORATION, a  
Pennsylvania corporation.

By: Robert R. Worthen

Name: ROBERT R. WORTHEN

Title: OWNER

Date Signed: 8/5/19

**CERTIFICATE OF SERVICE**

Docket No. 19-035-09

I hereby certify that on August 7, 2019, a true and correct copy of the foregoing was served by electronic mail to the following:

**Utah Office of Consumer Services**

Cheryl Murray [cmurray@utah.gov](mailto:cmurray@utah.gov)

Michele Beck [mbeck@utah.gov](mailto:mbeck@utah.gov)

**Division of Public Utilities**

[dpudatarequest@utah.gov](mailto:dpudatarequest@utah.gov)

**Assistant Attorney General**

Patricia Schmid [pschmid@agutah.gov](mailto:pschmid@agutah.gov)

Justin Jetter [jjetter@agutah.gov](mailto:jjetter@agutah.gov)

Robert Moore [rmoore@agutah.gov](mailto:rmoore@agutah.gov)

Steven Snarr [stevensnarr@agutah.gov](mailto:stevensnarr@agutah.gov)


**Rocky Mountain Power**

Data Request Response [datarequest@pacificorp.com](mailto:datarequest@pacificorp.com)

Center

Jana Saba [jana.saba@pacificorp.com](mailto:jana.saba@pacificorp.com);  
[utahdockets@pacificorp.com](mailto:utahdockets@pacificorp.com)

Daniel Solander [daniel.solander@pacificorp.com](mailto:daniel.solander@pacificorp.com)



Katie Savarin  
Coordinator, Regulatory Operations