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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, Manager
Bob Davis, Utility Technical Consultant

Date: September 12, 2019

Re: Approval of Tariff Schedule No. 3, Docket Nos. 19-035-29 and 18-035-39, Rocky Mountain Power's Compliance Filing - Rocky Mountain Power's Customer Owned and Net Metering Report and Attachment A for the Period April 1, 2018 through March 31, 2019; Investigation Re: Expiring Excess Generation Credits under Schedule 135.

Recommendation (Approval)

The Division of Public Utilities ("Division") recommends the Utah Public Service Commission ("Commission") approve Rocky Mountain Power's ("RMP") proposed revisions to Electric Service Schedule No. 3, (Low Income Lifeline Program-Residential Service Optional for Qualifying Customers), effective October 1, 2019. The Division's review determined that RMP's filing complies with the Commission's August 23, 2019 Order, and Rule R746-405-2(D) to increase the \$12.60 Low Income Lifeline Credit maximum monthly credit by \$0.54 to \$13.14.

Issue

On August 23, 2019, the Commission issued its Order in Docket Nos. 19-035-29 and 18-035-39 ("Order") directing RMP to file any necessary tariff changes to effectuate its Order. On August 28, 2019, RMP filed its Electric Service Schedule No. 3 tariff revisions with the Commission. On August 30, 2019, the Commission issued an action request to the Division

asking it to review RMP's filing for compliance and make recommendations by September 12, 2019. This memorandum represents the Division's response to the Commission's request.

Background and Discussion

The Commission issued its Order in Docket No. 18-035-39 on January 11, 2019 directing RMP to: (1) make a one-time disbursement during the April 2019 billing cycle to low-income customers on Schedule No. 3; (2) make changes to its Schedule No. 3 tariff to effectuate the Commission's Order; and (3) report back thirty days after the April 2019 billing cycle with the actual number of customers and amount of the one-time disbursement.¹ RMP filed its compliance filing on May 29, 2019, which was subsequently approved by the Commission on July 1, 2019.²

In Docket No. 19-035-29, RMP proposed a \$0.54 monthly credit increase to the original \$12.60 to raise the Low Income Lifeline Credit to a maximum monthly credit of \$13.14 versus the one-time reimbursement order in Docket No. 18-035-39. RMP concludes that participation in Schedule 135, (Net Metering Service), is now closed to new participants and believes the value of excess generation credits is likely to remain fairly consistent into the future. RMP proposes to examine the credit in conjunction with its annual Net Metering Report and change the credit as needed.

On July 31, 2019, the Division and the Office of Consumer Services ("OCS"), each filed comments supporting RMP's proposal to treat the credit on a monthly basis rather than a one-time annual disbursement.³ In its August 23, 2019 Order, the Commission approved RMP's proposed \$0.54 increase and directed RMP to make a compliance filing to update Electric Service Schedule No. 3, Low Income Lifeline Program – Residential Service, to reflect a maximum monthly low income lifeline credit of \$13.14.⁴

¹ Utah Public Service Commission, Order, Docket No. 18-035-39, January 11, 2019, pg. 10.

² See Docket No. 18-035-39, Correspondence from Gary L. Widerburg, July 1, 2019, <https://pscdocs.utah.gov/electric/18docs/1803539/309002CorresWiderburg7-1-2019.pdf>.

³ See Docket No. 19-035-29, <https://pscdocs.utah.gov/electric/19docs/1903529/309401ComnntsfrmDPU7-31-2019.pdf> and <https://pscdocs.utah.gov/electric/19docs/1903529/309402OCSCmnts7-31-2019.pdf>, respectively.

⁴ Utah Public Service Commission, Order, Docket No. 19-035-29, August 23, 2019, pg. 3, ¶s 2-3.

In reviewing RMP's advice letter for this matter, the Division reviewed Utah Administrative Code Rule 746-405-2(D)(3)(g), which requires a statement that the tariff sheets proposed do not constitute a violation of state law or Commission rule. However, the rule also 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 filing does not appear to violate statute or rule.

Conclusion

The Division reviewed RMP's filing and concludes that it complies with the Commission's Order directing RMP to revise its Electric Service Schedule No. 3, (Low Income Lifeline Program-Residential Service Optional for Qualifying Customers) to reflect a maximum monthly credit of \$13.14 to the Low Income Lifeline Credit. Therefore, the Division recommends the Commission approve RMP's revised Electric Service Schedule No. 3, effective October 1, 2019.

Cc: Joelle Steward, RMP
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Michele Beck, OCS