

In the Matter Of:

In Re: RMP - Approval of Indoor Agricultural Lighting Tariff

HEARING, DOCKET NO. 19-035-T06

July 02, 2019

Job Number: 543940

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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

Application of Rocky Mountain) Docket No.
Power for Approval of an) 19-035-T06
Indoor Agricultural Lighting)
Tariff, Electric Service) Presiding
Schedule No. 22) Officer:
) Michael Hammer
)

HEARING

Salt Lake City, Utah
Tuesday, July 2, 2019

REPORTED BY: Tammy M. Breed, CCR NO. 7801
JOB NO. 543940

1 HEARING OF THE UTAH PUBLIC SERVICE COMMISSION,
2 taken at 160 East 300 South, 4th Floor, Salt Lake City,
3 Utah, on Tuesday, July 2, 2019, at 10:30 a.m., before
4 Tammy M. Breed, Certified Court Reporter, in and for the
5 State of Utah.

6

7 APPEARANCES:

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33 Also Present:

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35 Robert Meredith
36 Abdinasir M. Abdulle, Ph.D.
37 Cheryl Murray
38 Ashley George

39

1 Salt Lake City, Utah; Tuesday, July 2, 2019

2 10:30 a.m.

3 -oOo-

4 Whereupon--

5 PRESIDING OFFICER HAMMER: Let's go on the
6 record, please.

7 Good morning. This is the time and place
8 noticed for a hearing in the application of Rocky
9 Mountain Power for approval of an Indoor Agricultural
10 Lighting Tariff, Electric Service Schedule 22.

11 That's Commission Docket No. 19-035-T06.

12 My name is Michael Hammer, and I'm the
13 Commission's designated presiding officer.

14 Let's go ahead and take appearances, please,
15 starting with the company.

16 MR. SOLANDER: Good morning, Mr. Hammer.
17 Daniel Solander, representing Rocky Mountain Power. And
18 I have with me at counsel table, Robert Meredith, who
19 will be the company's witness.

20 MS. SCHMID: Good morning. Patricia E.
21 Schmid, with the Utah Attorney General's Office for the
22 Utah Division of Public Utilities. With me as the
23 Division's witness is Dr. Abdinasir Abdulle. Thank you.

24 MR. MOORE: Robert Moore with the AG's
25 office representing the Office of Consumer Services.

1 With me is Cheryl Murray from the Office.

2 PRESIDING OFFICER HAMMER: All right. Are
3 there any preliminary matters before we begin?

4 MR. SOLANDER: Yes. Thank you. The parties
5 have met and discussed, and we've agreed to waive
6 cross-examination and witness summaries and move
7 directly to Commission questions, if that would be
8 acceptable to you.

9 PRESIDING OFFICER HAMMER: That. . .

10 MR. SOLANDER: Oh, and the admission of
11 evidence as well.

12 PRESIDING OFFICER HAMMER: So there's a
13 motion to admit --

14 MR. SOLANDER: Yeah.

15 PRESIDING OFFICER HAMMER: -- the evidence?

16 MR. SOLANDER: We have agreed to waive any
17 objection to the admission of -- of the evidence.

18 PRESIDING OFFICER HAMMER: Understood.

19 So the witnesses would not like to provide
20 any summaries of their testimony this morning?

21 MR. SOLANDER: Correct.

22 PRESIDING OFFICER HAMMER: All right.

23 Well, I'll just ask each of the parties to
24 address the two questions that the Commission submitted
25 in writing in the notice at issue shortly before the

1 hearing. I'd like the parties at least to do that. We
2 can simply have them take turns, beginning with
3 Mr. Meredith.

4 Are you prepared to do that?

5 MR. MEREDITH: Yes.

6 PRESIDING OFFICER HAMMER: All right.

7 Mr. Meredith, do you swear to tell the
8 truth?

9 MR. MEREDITH: I do.

10 PRESIDING OFFICER HAMMER: Thank you. Go
11 ahead.

12 MR. MEREDITH: Okay. Do you want me to just
13 answer the first question and. . . Okay.

14 PRESIDING OFFICER HAMMER: Yes.

15 MR. MEREDITH: Sure.

16 The Company believes that the implementation
17 of Utah Code, Title 4, Chapter 41a, Cannabis production
18 establishments will have a de minimis, if any, impact to
19 load eligible to take service on Schedule 22. From
20 conversations that I have had with our load forecasting
21 department, anticipated load from medical marijuana will
22 likely represent a small fraction of Customer A's load
23 after -- after its expansion. My understanding is that
24 medical marijuana is far more limited than recreational
25 Cannabis, which the Company has some experience with in

1 some of the other states that it serves where that has
2 been legalized.

3 And it's also important to note that to be
4 eligible for Schedule 22, a single meter needs to
5 register a megawatt or greater. Given the very small
6 magnitude that we anticipate for medical marijuana in
7 Utah, we think that it's very likely that no grower will
8 exceed that threshold and be eligible for Schedule 22.

9 PRESIDING OFFICER HAMMER: Thank you,
10 Mr. Meredith.

11 MR. MEREDITH: You're welcome.

12 PRESIDING OFFICER HAMMER: Ms. Schmid, may I
13 swear Mr. Abdulle?

14 MS. SCHMID: Please.

15 PRESIDING OFFICER HAMMER: Mr. Abdulle, do
16 you swear to tell the truth?

17 MR. ABDULLE: I do.

18 PRESIDING OFFICER HAMMER: Thank you.

19 And I suppose both questions apply to you.
20 If you need me to restate them I can or you're free to
21 simply speak.

22 MR. ABDULLE: I have it here so. . .

23 Again, the -- the Cannabis estab- --
24 production establishment, the Division thinks that if
25 they qualify for the Schedule 22, which is -- the

1 condition is at -- at 1 megawatt, using energy
2 (incomprehensible), they qualify for it, they will not
3 impose any negative impact on any other customer. They
4 will simply be taking load during the off-peak hours,
5 the none off -- non-peak hours. So it will be
6 beneficial to the system in general. So, regarding
7 other customers, there will be no impact on them.

8 On the other question, which is the whether
9 the rebuttal testimony of Meredith, which is stated that
10 -- whatever he wrote in there, the information that was
11 contained in his rebuttal testimony satisfies the
12 consent of the Division. We agree with that. We
13 discussed these issues -- the issues we had, along with
14 the issues that the Office had, and he represented in
15 his direct te- -- in his rebuttal testimony exactly what
16 we agreed upon, and that satisfies our -- our concern.
17 Thank you.

18 PRESIDING OFFICER HAMMER: Thank you,
19 Mr. Abdulle.

20 Mr. Moore, may I swear Ms. Murray?

21 MR. MOORE: Yes, please.

22 PRESIDING OFFICER HAMMER: Ms. Murray, do
23 you swear to tell the truth?

24 MS. MURRAY: Yes.

25 PRESIDING OFFICER HAMMER: Thank you.

1 And would you like me to state the
2 questions, or are you familiar with them?

3 MS. MURRAY: I think I'm familiar with them.

4 Regarding the first issue, the question
5 about potential Cannabis growers going on Schedule --
6 the Schedule 22, we cannot say what effect it may have.
7 We don't have any experience with it. We have no idea
8 exactly what the load profile will look like. However,
9 we believe that the Company has some experience in
10 Oregon, as Mr. Meredith stated.

11 We also think that by paying close attention
12 to Schedule 22 and what may happen in any cost of
13 service studies, we will have an idea of if it needs to
14 be modified or withdrawn, cancelled. So that would be
15 our answer to that question.

16 And regarding the second question, the con-
17 -- the Company in rebuttal -- Mr. Meredith's testimony
18 agreed to the conditions that we -- or the
19 recommendations we made for the program. Regarding the
20 -- the question of filing to suspend the tariff if it
21 fell below 20 megawatts, I believe is what we had in our
22 initial comments, we worked pretty closely with the
23 company. And I would like to say that we really do
24 appreciate the amount of time and effort Mr. Meredith
25 and Ms. Saba put into discussions and working around our

1 concerns in order to come up with the resolution that
2 was in Mr. Meredith's testimony. And we believe that it
3 does satisfy our recommendation. And we support it.

4 PRESIDING OFFICER HAMMER: Excellent.

5 Is there anything else?

6 MR. SOLANDER: If I didn't do so previously,
7 I would move for the admission of all prefile testimony
8 and exhibits and Company's application in this docket.

9 PRESIDING OFFICER HAMMER: They're admitted.

10 MS. SCHMID: And I would like to do the same
11 for the Division's testimony.

12 PRESIDING OFFICER HAMMER: It's admitted.

13 MR. MOORE: And we'll do the same for the
14 comments that the Office has submitted.

15 PRESIDING OFFICER HAMMER: They're admitted.

16 All right, everyone, thank you.

17 MR. SOLANDER: Thank you.

18 MS. SCHMID: Thank you.

19 PRESIDING OFFICER HAMMER: Have a happy
20 holiday.

21 MR. MOORE: Thank you.

22 (The proceedings concluded at 10:38 a.m.)

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REPORTER'S CERTIFICATE

I, Tammy M. Breed, CSR No. 7801, Certified Reporter, certify:

That the foregoing proceedings were taken before me at the time and place therein set forth, at which time the witness was put under oath by me;

That the testimony of the witness, the questions propounded, and all objections and statements made at the time of the examination were recorded stenographically by me and were thereafter transcribed;

That the foregoing is a true and correct transcript of my shorthand notes so taken.

I further certify that I am not a relative or employee of any attorney of the parties, nor financially interested in the action.

I declare under penalty of perjury under the laws of Utah that the foregoing is true and correct.

Dated this 18th day of July, 2019.



TAMMY M. BREED, C.C.R. No. 7801

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