



State of Utah

Department of Commerce
Division of Public Utilities

MARGARET W. BUSSE
Executive Director

CHRIS PARKER
Director, Division of Public Utilities

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Action Request Response

To: Public Service Commission of Utah

From: Utah Division of Public Utilities

Chris Parker, Director

Artie Powell, Manager

Brenda Salter, Utility Technical Consultant Supervisor

Jeff Einfeldt, Utility Technical Consultant

Date: March 23, 2021

Re: **Docket No. 21-028-T01**, Garkane Energy Cooperative, Inc.'s Proposed Tariff Revisions for Schedule No. TOD IRR_RES_ Agricultural Irrigation Pumping.

Recommendation (Approve)

The Division of Public Utilities (“Division”) recommends the Utah Public Service Commission (“Commission”) acknowledge Garkane Energy Cooperative, Inc.’s (“Garkane”) proposed Electric Service Tariff Schedule (“Tariff”). The requested effective date for this filing is April 1, 2021.

Issue

On March 10, 2021, Garkane filed tariff pages to introduce a new voluntary time of use rate for irrigation customers. The Commission issued an Action Request on March 10, 2021 requesting the Division investigate the proposed tariff and report its findings and recommendation to the Commission by March 24, 2021. This memorandum represents the Division’s response to the Commission’s Action Request.

Background

On March 10, 2021, Garkane filed tariff pages to introduce a new voluntary time of use rate for irrigation customers. The new voluntary off-peak rate is available between 9 pm and 3 pm for the following day, including all day on Sundays, and Federal Holidays. The service is limited to customers whose load requirements do not exceed 150 KVA of transformer capacity.

In compliance with Utah Code 54-7-12(7), weekly notices were published in the February editions of local newspapers throughout Garkane's service territory.

A public hearing was held on March 1, 2021 where members/customers were invited to comment on the proposed addition. No comments were proffered at the hearing. Garkane's board approved the proposed schedule during the public hearing. Garkane filed notification of the tariff changes with the Commission on March 10, 2021, with a desired effective date of April 1, 2021.

Utah Code 54-3-3 requires utilities to provide at least 30 days' notice to the Commission prior to the effective date of changes to the utility's "...rate, fare, toll, rental, charge or classification..." However, Utah Code 54-3-3 allows the Commission to acknowledge the tariff changes without requiring the 30 days' notice for good cause.

The Division notes Garkane complied with timely notification of its members and held a public hearing. The changes appear to leave residential customers relatively the same as before the tariff change with the goal to encourage irrigation customers toward off-peak hours, thus reducing pressure for the utility during peak hours.

Conclusion

The Division recommends the Commission acknowledge Garkane's tariff revisions with an effective date of April 1, 2021, and make it available for public inspection.

Cc: Neal Brown, Garkane Energy Cooperative, Inc.
Maria Wright, Division of Public Utilities, Customer Service
Michele Beck, Office of Consumer Services
Jeff Peterson, Utah REA