



SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

UTAH DEPARTMENT OF COMMERCE

Division of Public Utilities

MARGARET W. BUSSE
Executive Director

CHRIS PARKER
Division Director

Action Request Response

To: Public Service Commission of Utah

From: Utah Division of Public Utilities

Chris Parker, Director
Artie Powell, Manager
Doug Wheelwright, Utility Technical Consultant Supervisor
Abdinasir Abdulle, Utility Technical Consultant

Date: November 10, 2022

Re: **Docket No. 22-031-04**, Mt. Wheeler Power, Inc. 2022 Wildland Fire Protection Plan Annual Compliance Report.

Recommendation (Acknowledge)

The Division of Public Utilities (Division) recommends the Public Service Commission (Commission) acknowledge Mt. Wheeler Power Inc's (Mt. Wheeler) October 11, 2022, filing as complying with Utah Code § 54-24-203(4)(b).

Issue

On October 11, 2022, Mt. Wheeler filed a copy of its annual Wildland Fire Protection Plan (WFPP) compliance report. On October 14, 2022, the Commission issued an Action Request to the Division asking the Division to review the filing for compliance and make recommendations. The Commission asked the Division to report back by November 14, 2022. This memorandum represents the Division's response to the Action Request.

Discussion

Utah Code § 54-24-203(4) requires electric cooperatives to (a) file with the governing authority an annual report detailing the electric cooperative's compliance with the WFPP;

Division of Public Utilities

Heber M. Wells Building • 160 East 300 South • P.O. Box 146751 Salt Lake City, UT 84114-6741
www.dpu.utah.gov • telephone (801) 530-7622 • toll-free in Utah (877) 874-0904 • fax (801) 530-6512

and (b) file with the Commission a copy of the annual compliance report. The report was filed with the Commission on October 11, 2022. The Division has reviewed the filing and noticed that, in its cover letter, Mt. Wheeler inadvertently referred to Utah Codes § 54-24-201(4) and § 54-24-202(2) instead of Utah Code § 54-24-203(4)(b) and that the report does indicate review and approval by the Mt. Wheeler's Board of Directors. Mt. Wheeler provided the Division with a corrected version of the cover letter referring to the correct Utah Code and indicating that the report was reviewed and approved by Mt. Wheeler's Board of Directors at its October 11, 2022, meeting. The corrected cover letter is attached with this memorandum. The Division recommends the Commission acknowledge that Mt. Wheeler has complied with Utah Code § 54-24-203(4)(b).

cc: Michele Beck, Office of Consumer Services
Kevin Robinson, Chief Executive Officer, Mt Wheeler Power Cooperative