



State of Utah

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

Public Service Commission

THAD LeVAR
Chair

DAVID R. CLARK
Commissioner

JOHN S. HARVEY, Ph.D.
Commissioner

September 20, 2023

Senator David P. Hinkins, Chair
Representative Carl R. Albrecht, Chair
Members of the Public Utilities, Energy, and Technology Committee

Re: Report from the Public Service Commission of Utah (PSC) under Utah Code Ann. § 54-25-201(4)

Under Utah Code Ann. § 54-25-201(4), enacted by H.B. 389 during the 2023 General Session, the PSC must submit a report to the Public Utilities, Energy, and Technology Interim Committee regarding a qualified utility's compliance with the qualified utility's electrical power delivery quality plan. Electrical power delivery quality refers to the suitability of power delivered to customers in comparison to accepted industry standards on voltage and power quality. PacifiCorp, doing business in Utah as Rocky Mountain Power, is the only electric utility in Utah that meets the statute's definition of a qualified utility.

H.B. 389 requires the PSC to establish administrative rules for the submission, review, and implementation of an electrical power delivery quality plan. (Utah Code Ann. § 54-25-102.) Three days after Governor Cox signed H.B. 389, the PSC issued a notice requesting comments on the administrative rules required by H.B. 389. Over the next few months the PSC received comments from the Division of Public Utilities (DPU), Dixie Power (DP), the Utah Rural Electric Cooperative Association (URECA), and Rocky Mountain Power (RMP).

The comments submitted to the PSC did not present a consensus position. DP and URECA urged the PSC to adopt substantive standards to ensure increased adoption of inverter-based generation resources (like solar and wind generation) does not adversely impact power quality. RMP argued the DP and URECA proposals are not

consistent with applicable standards from the Institute of Electrical and Electronics Engineers and the American National Standards Institute.

Considering the statutory requirements to begin the process to enact the administrative rules mandated by H.B. 389 within 180 days after H.B. 389 took effect (see Utah Code Ann. § 63G-3-301(14)(b)), the PSC determined that the record was not yet fully developed enough to enact rules making substantive modifications to existing power delivery quality standards. Accordingly, the PSC submitted, for publication in the Utah State Bulletin on September 15, 2023, a proposed administrative rule establishing the timing and process for the submission of an electrical power delivery quality plan to the PSC, for the review of an electrical power delivery quality plan, and for the review of the implementation of an electrical power delivery quality plan.

The public comment period for these proposed administrative rules runs through October 16, 2023, and the rules are eligible to be made effective on October 23, 2023. If enacted as published, the administrative rules will require RMP to submit its first electrical power delivery quality plan to the PSC on or before April 1, 2024.

Respectfully submitted,

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ John S. Harvey, Ph.D., Commissioner