

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Proposed Rulemaking Concerning Utah Code Ann. § 54-17-807, Solar Photovoltaic or Thermal Solar Energy Facilities, Enacted May 8, 2018	<u>DOCKET NO. 18-R450-01</u> <u>NOTICE OF PROPOSED RULEMAKING AND REQUEST FOR COMMENTS</u>
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ISSUED: May 31, 2018

During the 2018 Utah General Session, the Utah Legislature passed H.B. 261, Renewable Energy Amendments.¹ H.B. 261 addresses the basis of setting rates for solar photovoltaic or thermal solar energy facilities,² by:

- permitting a qualified utility to apply to the Public Service Commission of Utah (PSC) regarding solar energy projects under certain circumstances;
- addressing exemptions from certain provisions;
- prescribing requirements for the application;
- imposing process requirements;
- requiring public hearing and comments; and
- providing for rulemaking authority.

On May 8, 2018, H.B. 261 became law and is now codified at Utah Code Ann. § 54-17-807, titled “Solar photovoltaic or thermal solar energy facilities.”³ Pursuant to section 54-17-807(11), the PSC shall adopt rules, in accordance with the Utah Administrative Rulemaking Act. The rules shall: (a) address the content and filing of an application under section 54-17-807; (b) establish the solicitation process and criteria to be used to identify the competitive market price

¹ A copy of the enrolled bill may be viewed here: <https://le.utah.gov/~2018/bills/static/HB0261.html>.

² See *id.*

³ The statute may be viewed at: https://le.utah.gov/xcode/Title54/Chapter17/54-17-S807.html?v=C54-17-S807_2018050820180508.

DOCKET NO. 18-R450-01

- 2 -

and select an energy resource; and (c) address other factors the PSC determines relevant to protect the public interest and to implement section 54-17-807.⁴ To aid the PSC in this process, the PSC requests comments from any interested party. Comments may be submitted by **Friday, June 29, 2018**, and reply comments, including draft rule language, may be submitted by **Friday, July 13, 2018**.

DATED at Salt Lake City, Utah, May 31, 2018.

/s/ Melanie A. Reif
Administrative Law Judge

Approved and confirmed May 31, 2018 by the Public Service Commission of Utah.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#302478

⁴ Utah Code Ann. § 54-17-807(11)(a)-(c).

CERTIFICATE OF SERVICE

I CERTIFY that on May 31, 2018, a true and correct copy of the foregoing was served upon the following as indicated below:

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