Docket 25-R318-01
Attachment A - Enyo Renewable Energy's Proposed Edits to Straw Proposal Rule Language (Redline)
August 28, 2025

Requirement	**Proposed rule section(s)**
54-26-901: Transmission cost allocation. "shall establish"	R746-XX2 et seq.
54-26-302: Expedited review of applications. "may establish". list of issues).	R746-XX1-7~~5~~
54-26-503: Transmission service requests (implementation of Section 503). "may establish".	R746-XX2 et seq.
54-26-504(4): The Commission "may establish rules requiring appropriate notices and warnings regarding separation from the utility system" for Closed Private Generation Systems.	R746-XX5-3
54-26-501(1)(a) requires a Large-Scale Generation Provider to register with the Commission, maintain reasonable technical and financial qualifications "required by the commission", and provide service only through "qualifying generation resources" to qualify to provide service to a Large Load Customer.	R746-XX3 et seq.
54-26-602(4)(d): Accounting Requirements: a utility "shall provide… any other information the commission requires to ensure that the costs associated with service to a Large Load Customer are excluded from the rates paid for by retail customers."	R746-XX1-~~4~~6(6)

R746-XX1 GENERAL COMMISSION REQUIREMENTS

R746-XX1-1. Authority

This rule is adopted under Utah Code Sections 54-1-1, 54-26-302, and 54-26-602.

R746-XX1-2. Definitions

(1) "Applicant" means a party who files an Application for Commission approval of a Large Load Contract or Private Generation Contract as those terms are defined in Utah Code § 54-26-101.

(2) "Application" means an Application for Commission approval of a Large Load Contract or Private Generation Contract.

(3) "Commission" is defined in Utah Code § 54-2-1(4).

(4) Capitalized terms not defined in this Section have the meaning provided in Utah Code Ann. § 54-26-101.

(5) Definitions in this Section apply to each Section of R746-XXX et seq.

R746-XX1-3. Applicability

(1) This rule applies to Applications for Commission approval of

(a) Large Load Service Contracts between a Large Load Customer and the Qualified Electric Utility or a Large-Scale Generation Provider; or

(b) Large Load Construction Contracts between a Large Load Customer and the Qualified Electric Utility or a Large-Scale Generation Provider; or

(c) Private Generation Contracts.

(2) This rule governs the process by which the Commission shall review Applications for approval of all Large Load Contracts and Private Generation Contracts.

(3) This rule governs the obligations of a Qualified Electric Utility related to its Large Load Service Request processes, procedures and requirements to facilitate Application requirements.

R746-XX1-4. Obligations of a Qualified Electric Utility

(1) A Qualified Electric Utility shall provide to the Large Load Customer, concurrent with the evaluation results required by Utah Code Section 54-26-202(1)(c), all supporting technical documentation, including modeling results, that are developed as part of the

evaluation. If the Large Load Service Request includes Large Load Customer owned or contracted-for generation, the Qualified Electric Utility shall conduct as part of its evaluation a study considering the net impact of load and generation and provide such results to the Large Load Customer.

(2) Within 15 days of the request, a Qualified Electric Utility must provide to a Large-Scale Generation Provider identified by the Large Load Customer all supporting technical documentation, including modeling results, that are developed as part of the Qualified Electric Utility's evaluation required by Utah Code Section 54-26-202(1)(c).

(3) A Qualified Electric Utility that receives a transmission service request pursuant to Utah Code § 54-26-503 shall provide the requesting party documentation sufficient to demonstrate the impact of the transmission service request on the Qualified Electric Utility's transmission system.

(4) In connection with a Large Load Contract pursuant to Utah Code Section 54-26-301(3) and (4), a Qualified Electric Utility shall only impose commercially reasonable security and credit demonstration requirements, as applicable, that consider the specific circumstances of the service requested.

(5) A Qualified Electric Utility reviewing a Private Generation Contract shall, within 30 days of receipt, either concur or raise concerns to the Large-Scale Generation Provider in accordance with R746-XX4-2(1)(c).

R746-XX1-5. Evaluation Requirements

(1) To facilitate Application requirements for a Large Load Contract, a Qualified Electric Utility shall, at the Large Load Customer's request, include as part of its initial evaluation, include both:

(a) a scenario where the Large Load Customer is served exclusively by a Qualified Electric Utility; and

(b) one or more alternative scenarios where the Large Load Customer is served, in whole or in part, by a Large-Scale Generation Provider.

(2) This requirement does not apply for Private Generation Contracts.

R746-XX1-46. General Requirements for Filing an Application for Approval of a Large Load Contract or Private Generation Contract

(1) An Application for Commission approval of a Large Load Contract or Private Generation Contract must be filed within fifteen business days of execution of the contract. Nothing in these rules changes the processes and procedures set forth in Utah Code Section 54-26, including Utah Code Section 54-26-202.

(2) An Application for Commission approval of a Large Load Contract or Private Generation Contract may be filed by any person who executes the contract.

(3) An Application for Commission approval of a Large Load Contract or Private Generation Contract to which the Qualified Electric Utility is not a party shall be served upon the Qualified Electric Utility on the same day it is filed with the Commission.

(4) An Application to the Commission for approval of a Large-Load Contract or Private Generation Contract ~~shall be~~meets Commission filing requirements if it is accompanied by:

(a) Evidence that the Large Load Customer meets all requirements of Utah Code Title 54 Chapter 26, including that the project is expected to reach a cumulative demand of 100 megawatts or greater within five years;

(b) A copy of the fully executed Large Load Contract or Private Generation Contract at issue, which may be designated as confidential in accordance with applicable statutes and rules;

(c) A description of how the addition of the Applicant's use will impact the Qualified Electric Utility's system, including the projected increase in electricity demand from the Qualified Electric Utility, if any, to serve the Large Load Customer;

(d) Evidence sufficient to allow the Commission to determine the reasonable and necessary Large Load Incremental Costs ~~necessary for~~that would be incurred by the Qualified Electric Utility consistent with Good Utility Practice to be allocated to the Large Load Customer to receive electric service, including generation resources, distribution system upgrades, and as applicable, any of the following as approved by the Federal Energy Regulatory Commission

(i) Transmission system improvements, including network upgrades;

(ii) Interconnection facilities;

(iii)Transmission service; and

(iv)Other necessary infrastructure.

(5) For Large Load Incremental Costs for Large Load Contracts with a Large-Scale Generation Provider, the Qualified Electric Utility shall be determine Large Load Incremental Costs based on a study approach that reasonably represents both the Large Load and the Large-Scale Generation using the assumption that the Large Load will be served by the Large-Scale Generation during peak and shortage conditions, unless otherwise indicated by the Contract, and that the Large-Scale Generation will curtail as provided for in R746-XX4-2(1)(e).

~~(5)~~(6) For Large Load Contracts with a Large-Scale Generation Provider, the Applicant must provide:

(a) Certification from the Large Load Customer that the requirements of Utah Code Section 54-26-402(1) are met; and

(b) Sufficient information for the Commission to conclude that all requirements of Utah Code Title 54, Chapter 26 have been satisfied.

~~(6)~~(7) For Large Load Contracts with the Qualified Electric Utility, the Application must include a methodology for how the Qualified Electric Utility will maintain separate accounting records demonstrating that costs will be directly assigned to the Large Load Customer. This methodology will be provided by the Qualified Electric Utility.

~~(7)~~(8) Spreadsheets provided in support of an Application should have all formulae intact.

R746-XX1-~~5~~7. Process for Approval of a Large-Load Contract or Private Generation Contract

(1) The Commission shall approve or disapprove an Application for review of a Large Load Contract or Private Generation Contract within 60 days of the Application being filed.

(2) A party to an Application may seek expedited Commission approval.

(3) An Applicant seeking expedited review of an Application must demonstrate why the statutory 60-day time frame is insufficient and good cause exists for expedited consideration of the Application.

R746-XX2 TRANSMISSION AND LARGE-SCALE GENERATOR REQUIREMENTS

R746-XX2-1. Authority

This rule is adopted under Utah Code Sections 54-1-1, 54-26-503, and 54-26-901.

R746-XX2-2. Applicability

(1) This rule applies to the provision of service to a Large Load Customer that requires transmission service, including Large Load Customer transmission service requests related to:

(a) Large Load Service Contracts between a Large Load Customer and the Qualified Electric Utility or a Large-Scale Generation Provider; or

(b) Large Load Construction Contracts between a Large Load Customer and the Qualified Electric Utility or a Large-Scale Generation Provider.

(2) This rule provides methods by which the Commission shall review cost allocation of associated transmission requests, which methods are consistent with federal requirements.

R746-XX2-3. General Requirements for Cost Allocation of Transmission Service

(1) An Application for Commission approval of a Large Load Contract that provides a Large Load Customer transmission service shall provide:

(a) Evidence sufficient to allow the Commission to ensure ~~all~~ incremental transmission costs are appropriately allocated to the Large Load Customer, including but not limited to:

(i) A description of transmission costs the Qualified Electric Utility or the Large-Scale Generation Provider will incur or pay to provide service to a Large Load Customer;

(ii) A description of how the addition of the Applicant's use will impact the Qualified Electric Utility's transmission system, including:

(A) The projected increase in electricity demand from the Large Load Customer,

(B) The incremental transmission capacity and associated costs required to serve the Large Load Customer,

(C) Any ~~excess~~ transmission capacity in the proposed upgrade that is excess to the needs of the Large Load Customer and the time when that capacity is projected to become used and useful for the Qualified Electric Utility;

(iii) An explanation of if and how the Qualified Electric Utility, in its sole discretion, proposes to recover from ratepayers any transmission costs that are excess to, and should not be directly assigned to, the Large Load Customer.

R746-XX3 GENERAL COMMISSION REQUIREMENTS FOR LARGE-SCALE GENERATION PROVIDERS

R746-XX3-1. Authority

This rule is adopted under Utah Code Sections 54-1-1 and 54-26-501 and 54-26-502.

R746-XX3-2. Applicability

This provision applies to any Large-Scale Generation Provider seeking to provide service to a Large Load Customer.

R746-XX3-3. Large-Scale Generation Provider Registration

(1) A Large-Scale Generation Provider that seeks to provide service to a Large Load Customer must file an application to register and receive Commission approval before providing service to the Large Load Customer; the application to register and receive Commission approval to provide service to a Large Load Customer shall be served upon the Qualified Electric Utility on the same day it is filed with the Commission.

(2) The Large-Scale Generation Provider's application to register shall provide all information identified in Utah Code Section 54-26-501.

(3) Upon the Commission's review of an application to register, the Commission shall open a docket and establish a schedule to evaluate compliance with Utah Code Section 54-26-501.

(4) Upon conclusion of the investigation, the Commission shall either:

(a) approve the application to register;

(b) impose reasonable conditions on the applicant's status; or

(c) notify the applicant of deficiencies in its application to register and allow the applicant 90 days to remedy any such deficiencies.

(5) If an applicant is permitted to remedy deficiencies within 90 days, the Commission shall review the revised application to register and,

(a) If the Commission, in its discretion, determines that the revised application to register failed to remedy the deficiencies previously identified, the Commission may deny registration and the applicant shall be prohibited from providing service to a Large Load Customer.

(b) If the Commission, in its discretion, determines that a revised application to register successfully remedied the deficiencies the Commission previously identified, the Commission shall grant the application to register and the applicant shall be permitted to provide service to the Large Load Customer as if the application had been granted in the first instance, subject to reasonable conditions imposed by the Commission.

(6) If at any time, upon a complaint filed by a Large Load Customer or the Qualified Electric Utility or in its own discretion, the Commission determines that the Large-Scale Generation Provider has failed to comply with obligations imposed by agreement or the Commission pursuant to this rule, the Commission may suspend or revoke the Large-Scale Generation Provider's registration.

R746-XX3-3. Large-Scale Generation Provider Registration Notice to Large Load Customers

(1) A registered Large-Scale Generation Provider must provide notice to any potential Large Load Customer of any conditions imposed on its registration by the Commission.

(2) A registered Large-Scale Generation Provider must include in every Large Load Contract or Private Generation Contract notice to the Large Load Customer that

(a) If the Large-Scale Generation Provider fails to comply with its legal requirements under Utah Code Title 54, Chapter 26, the Commission can suspend or revoke the Large-Scale Generation Provider's registration and prohibit it from continuing to provide service after the Large Load Customer is given reasonable opportunity to secure alternative service;

(b) The Large Load Customer's load is subject to curtailment if the Large Load Customer's demand exceeds the real-time dispatch of the Large-Scale Generation Provider's resources under the Large Load Contract or Private Generation Contract, net of transmission losses;

(c) The Qualified Electric Utility has no duty to serve a Large Load Customer that has entered a Large Load Contract with a Large-Scale Generation Provider or Private Generation Contract; and

(d) The Qualified Electric Utility is not required to provide backup power to a Large Load Customer that has entered a Large Load Contract with a Large-Scale Generation Provider or Private Generation Contract.

R746-XX4 CONNECTED GENERATION

R746-XX4-1. Authority

This rule is adopted under Utah Code Sections 54-1-1, 54-26-505.

R746-XX4-2. Additional Requirements for Connected Generation with Large-Scale Generation Providers

In addition to meeting the requirements of R746-XX1-46:

(1) An Application for approval of a Large Load Contract between a Large-Scale Generation Provider and a Large Load Customer must include:

(a) Proof that the Large-Scale Generation Provider satisfies all requirements of Utah Code Section 54-26-505(2) and

(i) The Large-Scale Generation Provider is registered with the Commission in accordance with Utah Code Section 54-26-501,

(ii) The Large Load Customer has complied with Utah Code Section 54-26-402(1), and

(iii) The Large-Scale Generation Provider will serve the Large Load Customer using only Qualifying Generation Resources, as that term is defined in Utah Code Section 54-26-101(15);

(b) Proof that the Large-Scale Generation Provider has delivered the required notices in R746-XX3-3,

(c) A declaration from the Large-Scale Generation Provider either that:

(i) No costs associated with Large Load Facilities will be incurred by the Qualified Electric Utility in conjunction with the Large Load Contract, or

(ii) The Large-Scale Generation Provider or Large Load Customer has entered a Large Load Construction ~~agreement~~contract to reimburse the reasonably allocated share of costs of any necessary Large Load Facilities;

(d) A declaration from the Qualified Electric Utility that :

(i) No electric services will be provided by the Qualified Electric Utility in conjunction with the Large Load Contract, or

(ii) The Large-Scale Generation Provider or Large Load Customer has entered a Large Load Service Agreement for the provision of any necessary electric services from the Qualified Electric Utility in conjunction with the Large Load Contract, and

(iii) The Qualified Electric Utility has had an opportunity to review the Private Generation Contract and has concurred with the findings in the declaration under subpart (a) of this Rule.

(e) The Large-Scale Generation Provider has established curtailment provisions with the Large Load Customer in the Large Load Contract in the event the Large Load Customer's demand exceeds the real-time dispatch of the Large-Scale Generation Provider's resources under the Large Load Contract, net of transmission losses.

R746-XX5 CLOSED PRIVATE GENERATION

R746-XX5-1. Authority

This rule is adopted under Utah Code Sections 54-1-1 and 54-26-504.

R746-XX5-2 Applicability

This Section applies to all Closed Private Generation Systems.

R746-XX5-3. Additional Requirements for Closed Private Generation Systems with Large-Scale Generation Providers

In addition to meeting the requirements of R746-XX1-~~4~~6:

(1) An Application for approval of a Private Generation Contract between a Large-Scale Generation Provider and a Large Load Customer must include proof that the Large-Scale Generation Provider satisfies all requirements of Utah Code Section 54-26-~~505(2)~~504 and

(a) The Large-Scale Generation Provider is registered with the Commission in accordance with Utah Code Section 54-26-501,

(b) The Large-Scale Generation Provider will serve the Large Load Customer using only Qualifying Generation Resources, as that term is defined in Utah Code Section 54-26-101(15),

(c) A declaration from the Qualified Electric Utility that the Closed Private Generation System will operate with sufficient separation from the Qualified Electric Utility's system to protect the bulk electric grid and the Qualified Electric Utility's system, and

(d) The Large-Scale Generation Provider has delivered the required notices in R746-XX3-3 as well as the following additional notices:

(i) the Closed Private Generation System is not connected to and operates independently from the transmission system of the Qualified Electric Utility, cooperative utility, municipal utility, or any other utility;

(ii) the Qualified Electric Utility has no duty to provide electric service;

(iii)there is no backup power available in the event of an outage except as provided under the terms of the Private Generation Contract; and

(iv) any request for interconnection to the Qualified Electric Utility for any level of service, requires the Large Load Customer to submit a Large-Scale Service Request to the Qualified Electric Utility and adhere to the process, cost allocations, and timelines set forth in Utah Code Title 54, Chapter 26.