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To: Public Service Commission of Utah  
From: The Office of Consumer Services  
Michele Beck, Director  
Cameron Irmias, Utility Analyst

Date: September 10, 2025  
Subject: Docket No. 25-R318-01 – Responsive Comments  
**In the Matter of:** Proposed Rulemaking Concerning  
Utah Code §§ 54-26-101 to -901, Large-Scale Electric  
Service Requirements

## INTRODUCTION

S.B. 132, Electric Utility Amendments, became effective on May 7, 2025. On June 6, 2025, the Public Service Commission (PSC) issued a Scheduling Order that set a deadline of August 28, 2025, for parties to file initial comments on rulemaking proceedings. On August 21, 2025, the PSC issued an order granting a Joint Motion to Amend Scheduling Order, allowing stakeholders to file comments in response to parties' initial comments by September 10, 2025, prior to the scheduled technical conference and subsequent comment period. Initial stakeholder meetings were held virtually on July 17, 2025, and August 14, 2025.

The Office of Consumer Services (OCS) appreciates Rocky Mountain Power's (RMP) facilitation of these discussions and its efforts in drafting the proposal. The OCS submits responsive comments on the current proposed rules, general comments, and recommendations to the PSC.



## RESPONSIVE COMMENTS

- **Transmission Costs (R746-XX2-3)** – The OCS reiterates the need for more specificity in defining “incremental transmission costs”, including the modes of study to be used in determining each cost category. We offer additional details in the “Recommendations” section.
- **Potential Impacts (R746-XX1-4(4)(c))** – This section states that applicants must provide a description of how their use impacts the Qualified Electric Utility’s system; however, without further outlining definitions, what information is to be provided, and how that information fits within an overall study process, this is unlikely to yield sufficient understanding of potential costs of incorporating new large loads, and hence has direct cost allocation implications.
- **Utah Association of Energy Users (UAE) Redlines (R746-XX2-3(2)(b-e))** – The OCS aligns with UAE regarding the need for precise and comprehensive rules for transmission cost allocation and appreciates UAE’s contribution to this discourse. However, we strongly disagree with their proposal to exclude new large load customers from costs associated with capital projects already included in the Qualified Electric Utility’s long-term transmission plan. These plans were developed to ensure reliable service for existing customers, not to accommodate unprecedented new large loads seeking interconnection.
- **Approval of Private Generation Contracts (§ 52-26-102(1)(d))** – Several stakeholders, including Interwest, Enchanted Rock, Tract/NRG, and UAE argue that Private Generation Contracts are not subject to PSC approval; however, the OCS contends that the issue of approval is more complicated than these parties state. While the statutory provision that requires PSC approval appears limited to Large Load Contracts, the application section of the statute expressly states that the PSC governs the review and approval of private generation contracts. Thus, the PSC has some jurisdiction in this matter that warrants clarification.

## GENERAL COMMENTS

- **Closed Private Generation Systems** – The proposed rules would benefit from a refined definition of Closed Private Generation Systems. This may involve pointing to applicable FERC standards pending under Docket No. EL25-49-000.
- **Analysis Results** – Utah Code § 54-26-901(1)(b) requires the PSC to retain a qualified independent consultant with expertise

in transmission cost allocation methodologies. The OCS asserts that this step is critical for understanding the impact of large loads on the transmission system, as well as the economic impacts of different approaches, in this context.

## **OCS RECOMMENDATIONS**

The OCS presents recommendations addressing the above topics.

Regarding incremental transmission costs, OCS requests a discussion on this topic at the upcoming Technical Conference to better inform parties and the PSC how the rules could contain more specificity without being overly prescriptive. This should cover the following:

- Capital costs associated with new dedicated facilities
- Capital costs associated with network upgrades
- Increase in transmission congestion
- Increase in transmission losses
- Reliability impacts from the new large loads, including both the addition of the loads and the impact from potential future loss of load after it has been integrated into the system

To ensure that potential impacts of new large load customers on the Qualified Electric Utility are properly accounted for, the OCS recommends that the PSC consider specifying in the rules what type of system impact study the Utility conducts during the evaluation as defined in Utah Code § 54-26-101(3). The topic of appropriate studies would be another potential discussion item at the technical conference.

Finally, regarding the § 54-26-901(1)(b) requirement for an independent consultant, the OCS requests the PSC schedule a workshop to share the results of the analysis, when available. This step will provide adequate information to foster stakeholder alignment and promote efficiency and equitability in subsequent rule development. The OCS would appreciate an update on the scope and timing of the work of the PSC's independent consultant.

## **CONCLUSION**

In addition to the comments introduced in this filing, OCS maintains its positions from its comments on August 28, 2025. We also acknowledge that stakeholders will continue to iterate upon the proposed rules and thus will

have another opportunity to address the evolving rules development in reply comments on October 10, 2025.

cc:

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