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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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Proposed Rulemaking Concerning Utah  
Code §§ 54-26-101 to -901, Large-Scale  
Electric Service Requirements

Docket No. 25-R318-01

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**COMMENTS AND PROPOSED REVISIONS ON ROCKY MOUNTAIN POWER'S  
RULE PROPOSAL OF ENYO RENEWABLE ENERGY, LLC**

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**I. Introduction**

Enyo Renewable Energy, LLC (“Enyo”), through its undersigned counsel, respectfully submits its Comments and Proposed Revisions on Rocky Mountain Power’s (“RMP” or “Company”) in the above-captioned rulemaking proceeding. Enyo appreciates the engagement from the Commissioners and stakeholders in this process and the effort to develop rules that provide Large Load Customers, Large-Scale Generation Providers, the Company and other stakeholders with clear processes and expectations that are consistent with S.B. 132<sup>1</sup> requirements and policy intentions.

As indicated in prior comments, Enyo develops large-scale generation and load projects, including solar, storage, and natural gas resources, with active projects under development in Utah and across the West. Based on this experience, Enyo has first-hand knowledge of the interconnection and cost-allocation barriers that S.B. 132 was designed to address. Enyo continues

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<sup>1</sup> S.B. 132 (2025), codified at Section 54-26-101, et. seq., Utah Code Annotated. Referred to as “S.B. 132” herein.

to look forward to the Commission’s investigation into the development of a Large Load Flexible Tariff (“LLFT”), which is an important alternative framework in S.B. 132 to serve large loads in Utah and would allow Large Load Customers to minimize the impact on RMP (and correspondingly, its other customers) during constrained periods. Enyo also recognizes that the Commission is not making a determination on a LLFT as part of this proceeding, but nevertheless continues to urge the Commission to avoid adopting rules that would frustrate or effectively preclude the efficient development of an LLFT in the future.

Enyo appreciates RMP’s efforts in developing its proposed rules, circulated on October 1, 2025, particularly given the short time-frame for development. However, without the benefit of written comments explaining the Company’s rationale for certain changes and decisions, it is difficult to provide a full reaction within these written comments. Nevertheless, in order to achieve the above-stated goals, Enyo has several recommended changes to the Company’s October 1 proposed rules. While there are areas of improvement in the rules, and perhaps some additional clarity on the Company’s thinking on certain elements, such as the role that its Federal Energy Regulatory Commission (“FERC”) approved Open Access Transmission Tariff (“OATT”) will play, several additional changes remain necessary in order to meet the needs of Large Load Customers in implementing S.B. 132 requirements. While RMP may argue that Enyo’s proposed rules are “too prescriptive,” Enyo has carefully crafted language simply to enable commercial arrangements that minimize transmission system cost impacts, which is again a benefit to all customers. It is critical, however, that the Commission use this rulemaking as an opportunity to provide much-needed implementation detail and clarity on process and expectations in a manner that allows Large Load Customers in Utah to have meaningful service options. Doing so is both consistent with the Commission’s rulemaking authority and will avoid unnecessary confusion and

delays in service offerings for Large Load Customers in the future.

In the development of its proposed redlines, Enyo reviewed the previously submitted comments and redlines from other parties. Enyo's proposed redlines, as explained in relevant sections below, adopt the proposals of certain other parties on certain issues in an effort to reduce the amount of competing redlines that the Commission must review and ultimately determine whether to adopt. Enyo again respectfully requests that the Commission's rules contemplate S.B. 132 as a whole – including future LLFT development.

## **II. Proposed Redlines**

Enyo offers the following comments, organized by rule section, on redlines to RMP's October 10, 2025 Proposed Rules that should be adopted.

### **A. Obligations of a Qualified Electric Utility**

The Commission should clarify the obligations of a Qualified Electric Utility in order to ensure transparency and facilitate meeting Large Load Customer needs. Senate Bill 132 dictates the process that a Large Load Customer and a Qualified Electric Utility must go through when making a Large-Scale Service Request. RMP's proposed rules seek to fill in the gaps of the statute by including additional detail for substantive requirements and process associated with the application process to be filed with the Commission. However, administrative rules that dictate the obligations of a Qualified Electric Utility are necessary in order to ensure that Large Load Customer needs are met and to facilitate an efficient application process. As such, Enyo continues to propose additional rules, as set forth in its proposed R746-XX2, that address the obligations of a Qualified Electric Utility.

First, Enyo proposes R746-XX2-1, which provides that the Applicability of the rules in this section govern the obligations of a Qualified Electric Utility.

Second, Enyo proposes R746-XX2-2, which sets forth tariff obligations of a Qualified

Electric Utility. This rule is necessary because there remains ambiguity both in RMP's October 10<sup>th</sup> proposed rules and the Company's position on the role of its OATT and Utah-jurisdictional tariffs under different service constructs and in terms of cost-allocation to Large Load Customers. As Enyo and other commenters have previously explained, S.B. 132 contemplates two general ways that a Large Load Customer might receive transmission service from RMP – the Large Load Customer may arrange for transmission service directly with the Company, or it might pay for transmission service that was arranged for by a Large-Scale Generation Provider with RMP. There are examples of each construct in other jurisdictions.<sup>2</sup> Additionally, S.B. 132 requires that costs associated with transmission service to Large Load Customers be allocated to the Large Load Customer “to the fullest extent allowable under applicable federal law and regulations...”<sup>3</sup> Clarity is needed to determine whether RMP believes that tariff changes are necessary in order to meet S.B. 132 statutory requirements for cost allocation. Enyo's proposed Tariff Obligations rule is intended to determine – on the front end – what, if any, tariff changes may be necessary, so that Large Load Customer do not face unnecessary and commercially problematic delays in the future, if it is determined that tariff changes for either type of transmission arrangement may be appropriate.

Third, clear expectations for a Qualified Electric Utility to Large Load Customers and Large-Scale Generation Providers are necessary in order to ensure that the Application process is as efficient as possible. To that end, Enyo proposes adoption of the rule set forth in R746-XX2-3, which was included in its September 10<sup>th</sup> proposed redlines, but has been modified in its current proposal to include a Qualified Electric Utility obligation to determine Large Load

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<sup>2</sup> See e.g. Joint Comments of NRG Energy and Tract, filed on August 28, 2025; Calpine Energy Solutions, LLC's Initial Comments, filed on August 28, 2025.

<sup>3</sup> Utah Code § 54-26-503(1)(b).

Incremental Costs, based on a study approach that considers generation and load together when they are physically adjacent and will be contractually paired under a Connected Generation contract. This rule language was previously included in Enyo's General Requirements for Filing an Application section of its proposed rules, but upon further reflection, Enyo believes it is more appropriately included as an obligation of a Qualified Electric Utility.

Additionally, this rule ensures that there is transparency in service requests, that studies and evaluations used to determine any potential upgrades and costs allocable to the Large Load Customer and/or Large-Scale Generation Provider are based on the specific needs of the Large Load Customer, that Large Load Customers and Large-Scale Generation Providers have timely access to the information developed by a Qualified Electric Utility but necessary for inclusion in an Application in useable format, and to ensure that only commercially reasonable security and credit demonstration requirements are imposed and based on the specific circumstances of the service requested.

Finally, additional detail above what is contained in S.B. 132 related to Evaluation requirements is necessary in order to ensure that various constructs for service to a requesting Large Load Customer are considered, not just traditional firm service with load and generation studied separately. To that end, Enyo continues to propose the language contained in its R746-XX2-4. Meeting these Evaluation requirements, which are only triggered by specific request, will result in development of data necessary to support new tariffs, whether through interim use of existing schedules, an interruptible tariff, or ultimately an LLFT. As Enyo previously commented, predictable study outcomes and tariff frameworks are essential for Large Load Customers to make the long-term commitments necessary for investments in Utah.

## **B. General Filing Requirements**

Enyo's proposed edits to the General Filing Requirements section of the rules, which are contained in Enyo's proposed R746-XX3, are intended to further refine the filing requirements applicable to a Large Load Contract. In developing its position on these draft rules, Enyo reviewed the proposed redlines from other parties, including the joint comments of Tract/NRG, and adopted several of the proposed changes from Tract/NRG in an effort reduce competing redlines intended to address the same issues. Generally speaking, Enyo agrees that the role of a Qualified Electric Utility in the Application and review process should be limited to that of any other party, leaving RMP to review public versions of an Application in order to determine whether it believes additional information is necessary. At that point, RMP, like any other interested party, can seek to obtain access to confidential and/or highly confidential information through standard Commission process.

## **C. Transmission and Large-Scale Generator Requirements**

Enyo finds that RMP's October 10<sup>th</sup> draft rules are an improvement in the sense that they now clarify the applicability of the OATT to certain transmission service requests, but otherwise continue to fall short of reflecting different service arrangements contemplated by S.B. 132. For example, it appears that RMP's proposed rules do not contemplate a service arrangement where a Large-Scale Generation Provider or a Large Load Customer would arrange for power to be wheeled from the generator to load while the load remains a retail customer of the utility, as is permitted in states like Arizona and Ohio. As such, Enyo's proposed Transmission and Large-Scale Generator Requirements section of the rules – which are contained in Enyo's proposed R746-XX4 – are intended to further clarify both the type of transmission service that may be provided, which as described above could be either FERC-jurisdictional subject to RMP's OATT

or Utah-jurisdictional subject to Commission-approved tariffs, and to clarify cost allocation in conformance with S.B. 132 requirements. In Enyo's September 10<sup>th</sup> Reply Comments, there was extensive discussion of questions and concerns related to the interplay between Federal and State jurisdiction issues related to transmission access and cost allocations, and so Enyo will not reiterate those here. Enyo again requests that the Commission adopt rules that ensure clarity on these issues and establish a clear framework for cost allocation, so that Large Load Customers, as well as retail customers, have certainty on the costs allocable to Large Load Customers.

#### **D. General Commission Requirements for Large-Scale Generation Providers**

Enyo finds that RMP's October 10<sup>th</sup> rules are overly prescriptive and beyond the requirements of S.B. 132 with regard to Large-Scale Generation Provider Registration requirements. In an effort to reduce competing redlines, Enyo has again reviewed comments from other parties and proposes adopting Tract/NRG's proposed changes to this rule, which are reflected in Enyo's proposed R746-XX5-3. These changes better reflect the intent of S.B. 132 while ensuring that registration requirements do not overly burden the Commission or other interested stakeholders with the registration process, while also ensuring that Large-Scale Generation Providers are commercially capable of meeting the demands of specific Large Load Contracts.

Regarding notice provisions, Enyo believes that it is necessary for Large Load Customers to have the ability to secure alternative service in the event that a Large-Scale Generation Provider fails to meet the requirements set forth in Utah Code Title 54, Chapter 26. Rule language that requires this information to be provided in a Notice to Large Load Customers is necessary to ensure that such customers are aware that they can seek alternatives without costly interruptions in service.

### **E. Additional Requirements for Connected Generation with Large-Scale Generation Providers**

Enyo's proposed rule R746-XX6-1 set forth its proposed redlines to RMP's October 10<sup>th</sup> rule language addressing additional requirements for Connected Generation with Large-Scale Generation Providers. Again, in an effort to minimize competing edits intended to achieve the same goals, Enyo has incorporated redlines proposed by Tract/NRG that impose requirements in a streamlined manner and consistent with applicable requirements of S.B. 132.

### **F. Closed Private Generation**

There has been ample discussion in this proceeding over the process and amount of Commission oversight for Closed Private Generation Contracts. Enyo believes that S.B. 132 is clear in that the Commission's role with Closed Private Generation Contracts is quite limited. Enyo therefore continues to support administrative rules that are appropriately reflective of that role. Enyo's proposed rules in R746-XX7, which adopt the proposed redlines of NRG/Tract from their Reply Comments, strike an appropriate balance of Commission oversight while ensuring that Closed Private Generation Contracts remain limited to appropriate notices and warnings that should be provided to the Large Load Customer.

## **III. Conclusion**

Enyo appreciates the opportunity to provide additional comments to help further the Commission's objective to effectively implement S.B. 132's legal requirements and policy intent. Enyo's comments and proposed redlines continue to propose clarifications of utility study obligation and preservation of statutory contracting pathways in a manner that does not hinder future development of an LLFT. Adopting Enyo's proposed rules will avoid forcing Large Load Customers into uneconomic or involuntary outcomes, while also meeting S.B. 132's intent to



shield existing retail customers from cross-subsidization.

DATED this 10th day of October 2025.

Respectfully submitted,

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Certificate of Service  
**Docket No. 25-R318-01**

I hereby certify that a true and correct copy of the foregoing was served by email this 10th day of October 2025 on the following:

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