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

Date: November 24, 2025

Subject: Docket No. 25-R318-01 – 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 and contains provisions requiring the Public Service Commission of Utah (PSC) to make rules to help effectuate the statute. On June 6, 2025, the 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. Initial stakeholder meetings were held virtually on July 17, 2025, and August 14, 2025. Following a technical conference on September 17, 2025, the PSC issued an Amended Scheduling Order and Notice of Retention of Independent Evaluator. This amended schedule included deadlines for Rocky Mountain Power's (RMP) updated proposed rules on October 1, 2025; comments and proposed revisions on these rules on October 10, 2025; PSC preliminary conclusions and/or request for clarification on October 17, 2025; and final comments on October 24, 2025.

On October 31, 2025, the PSC issued a Notice of Proposed Rule, in this docket. The PSC also filed the proposed rules with the Office of Administrative Rules (OAR). On November 15, 2025, the OAR posted the



proposed rules in the Utah State Bulletin, in Vol. 2025, No. 22¹. The filing provides Public Notice Information, which states that the public may submit written or oral comments to the PSC until December 15, 2025. The filing also states that the rule change is anticipated to become effective on January 1, 2026.

The OCS offers comments highlighting key issues addressed as well as suggestions for clarifying language for specific sections in the proposed rules.

PRIORITY ISSUES ADDRESSED

Throughout the rulemaking process, the OCS presented its priority issues through both redlines and comments. The OCS appreciates that many of these concerns have been addressed in the PSC's rules, including:

- R746-318-202(1), the exclusion of expedited timelines for Large Load application approval. As previously stated by both OCS and DPU, this is already a quick turnaround, and expedited review is unnecessary.
- R746-318-204(d), details on large load incremental costs. The OCS recognizes that this is a complex and evolving topic that will be addressed in greater detail in future proceedings but appreciates that this section was included after its addition via redlines during the rulemaking process.
- R746-318-201(6), accounting requirements for demonstrating that costs will be directly assigned to the large load customers. As discussed in comments on August 28, 2025, clear methods for cost tracking and crediting are critical to ensure that the terms of large load contracts do not shift costs to other ratepayers.
- R746-318-301(2), the proportional allocation of transmission costs. In several comment filings, the OCS argued that capital projects associated with the utility's long-term transmission plan were developed to ensure reliable service for existing customers over decades, and that large load customers given transmission service using these projects should be allocated costs proportional to their usage of the project's transmission capacity.

SUGGESTIONS FOR CLARIFICATION OF PROPOSED RULES LANGUAGE

The OCS provides the following suggestions to the wording of the rules solely for the sake of clarity. These suggestions do not contain any substantive changes.

¹ Utah State Bulletin, Vol. 2025, No. 22, pg. 187. <https://rules.utah.gov/wp-content/uploads/b20251115.pdf>

- R746-318-102, *Authority and Scope*, provides that the rules govern: “(b) the Commission’s review of an application for approval of a large load contract.” There is no mention of review and approval of closed private generation contracts in R746-318-102. However, R749-318-601(4), *Additional Filing Requirements for Large-Scale Generation Providers with a Closed Private Generation System*, expressly provides for an expedited and limited review and approval of closed private generation contracts. To avoid confusion, the OCS suggests R746-318-102(b) should read: “(b) the Commission’s review of the application for approval of large load contract and closed private generation contracts.”
- R746-318-601(4), *Additional Filing Requirements for Large-Scale Generation Providers with a Closed Private Generation System*, provides: "The commission shall conduct a limited expedited review and shall approve a private generation contract if the Commission finds" 1) the Large-Scale Generation Provider (LSGP) is registered, 2) has a cumulative demand of 100 megawatts or greater, 3) the system is wholly separated from the utility system and facilities. However, Utah Code § 54-26-504(3), *Closed private generational systems*, provides: “The provision of service to a large load customer on or through a closed private generation system shall utilize **qualified generation resources**.” In addition, Large-Scale Generation Providers (LSGP) are required to use **qualifying generation resources** under section 54-26-501(1)(c), and section 54-26-101(11) defines LSGP, in part, as an entity that provides services to a closed private generation system using **qualifying generation resources**. To make R746-318-601(4) consistent with sections 54-26-101(11), 54-26-501(c), and 54-26-504(3), the OCS suggests the PSC consider adding to the requirements for approval of a private generation contract under R746-318-601(4), the requirement that the contracted electrical service is provided through the use of a qualifying generation resource. The PSC may have concluded that the requirement to use qualifying resources is subsumed in the requirement already contained in R746-318-601(4), that the LSGP be registered. This is true. However, for clarity the OCS would nevertheless support adding this requirement to R746-318-601(4). Or, the PSC could have concluded that to make the approval process of closed private generation contract more “limited and expedited” it would forgo approval of the type of generation used. In which case, R746-318-601(4) should remain unchanged.
- R746-318-501, *Additional Filing Requirements for Large-Scale Generation Providers with a Connected Generation System*,

subsection (2)(b) provides that "an application for approval of a large load contract between a large-scale generation provider and a large load customer shall include: . . . (b) evidence showing the large load customer has met the requirements of Subsection 54-26-402(1)." Subsection 54-26-402, *Alternative service requirements*, provides "(1) A large load customer may enter into a large lo a large load contract with a large-scale generation provider if:" (a) the qualified utility fails to complete the evaluation, or (b) the large load customer and qualified utility cannot agree to a contract. This language can be read as suggesting that a filing requirement for a connected generation system is that the large load customer has attempted to contract with a qualified utility but did not reach an agreement because the negotiations failed or because the evaluation was not completed. This cannot be intended. Subsection 54-26-402(1) expressly deals with alternative service requests, not all service requests. Accordingly, the OCS suggests inserting the phrase "if applicable" into R746-318-501(b), so that the rule reads: "(b) if applicable, evidence showing the large load customer has met the requirements of Subsection 54-26-402(1)."

- R746-318-601, *Additional Filing Requirements for Large-Scale Generation Providers with a Closed Private Generation System*, subsection (2)(b) provides: "a large-scale generation provider shall submit a copy of the **private generation contract** for the Commission's approval and the following: . . . (b) evidence that the large-scale generation provider satisfies the requirements of Subsection 54-26-505(2); . . ." Subsection 54-26-505(2) provides: "A large-scale generation provider may provide services on or through a **connected generation system** if the provider:" meets several requirements. Although section 54-26-505 deals with connected generation systems, the requirements in subsection 54-26-505(2) could also apply to a closed private generation system. However, referring to a code section on connected generation systems from a rule dealing with closed generation systems may cause confusion. For clarity, the OCS suggests adding the phrase "which deals with connected generation systems" into R746-318-601(2)(b), so that the rule reads "evidence that the large-scale generation provider satisfies the requirements of Subsection 54-26-505(2)(b), which deals with connected generation systems." This clearly indicates that the cross reference is intentional.

CONCLUSION

The OCS appreciates the efforts of stakeholders in contributing to the proposed rules, and the PSC's consideration of key issues in its Notice of

Proposed Rule. We look forward to continued collaboration in future Large Load proceedings.

cc:

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