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Memorandum

To: Public Service Commission of Utah
From: Utah Division of Public Utilities
Chris Parker, Director
Brenda Salter, Assistant Director
Doug Wheelwright, Utility Technical Consultant Supervisor
David Williams, Utility Technical Consultant
Matthew Pernichele, Utility Technical Consultant
Date: December 15, 2025
Re: **Docket No. 25-R318-01**, Division Comments on Proposed Large Load Rules

Recommendations

The Division of Public Utilities (Division) submits these Comments to the Public Service Commission of Utah (Commission) regarding the Commission's Notice of Proposed Rules (Proposed Rules) in Docket No. 25-R318-01. The Division appreciates the Commission's drafting of the Proposed Rules and the input of the various stakeholders. The following suggestions mostly concern minor wording and formatting changes.

- Proposed Rule R746-318-103(2) mentions "sensitive information," and Proposed Rule R746-318-103(2)(c) refers to "commercially sensitive information." The Division suggests harmonizing these two references unless the difference was intentional.
- Similarly, in Proposed Rule R746-318-103(4) refers to "regulatory access only." In all other places in R746-318-103, the reference is to "regulator access only." The Division suggests harmonizing these references.
- A qualified utility may have an interest in the path of connection between load and generation for a closed private generation site as it relates to the utility's existing or



planned equipment. The Commission may wish to consider adding the following phrase in bold to Proposed Rule R746-318-103(8):

(8) A rebuttable presumption exists that a qualified electric utility may receive and review the following categories of information: the specific locations of both the load and generation; **the specific location of the path of any connection between the load and generation**; size of the load; size of the generation; the resource type of the generation; the contract duration; the parties' present or future intent to interconnect the load or generation to the grid; and the existence of utility service at the site.

- The Division recommends that the Commission consider slightly rewording Proposed Rule R746-318-501(2)(f). As it stands, the rule states: “(f) a declaration from the qualified electric utility, including a summary of supporting evidence that either:” and then goes on to list three subparts (i) through (iii). However, only subparts (i) and (ii) correspond to the “either”; subpart (iii) is a stand-alone requirement. The Division suggests the following wording:

(f) a declaration from the qualified electric utility, including a summary of supporting evidence that:

(i) either: (A) no electric service is requested at this time to be provided by the qualified electric utility in conjunction with the large load contract, or (B) 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

(ii) the qualified electric utility has had an opportunity to review an appropriately redacted version of the large load contract and the qualified electric utility concurs with the applicant that the conditions contemplated in Subsections R746-318-501(2)(b) through (c) are satisfied; and

- The Division suggests that a semicolon followed by “and” end Proposed Rule R746-318-501(2)(f)¹ rather than a period, as subsection (g) is the last item in subsection R746-318-501(2).

¹ The semicolon would be after subsection (ii) if the Commission adopts the previous suggestion. If not, the semicolon would come after subsection (iii).

- In its Proposed Rule Comments, the Utah Office of Consumer Services (OCS) noted that Proposed Rule R746-318-601(2)(b) could lead to confusion.² That rule cites to Utah Code subsection 54-26-505(2). The Division agrees; subsection 601 of the Proposed Rules applies to closed private generation systems, whereas Utah Code subsection 54-26-505(2) specifically refers to connected generation systems. It may be the case that the Commission meant to refer to Utah Code subsection 54-26-504(2), and not to subsection 54-26-505(2). However, if the Commission did intend to refer to subsection 505, it may wish to consider referencing a different part of subsection 505. Utah Code subsection 54-26-505(5) states that closed private generation systems must meet the requirements of subsection 54-26-505(4), and that subsection, through the language in subsection 54-26-505(4)(b), incorporates the requirements of subsection 54-26-505(2)(a)-(d) by reference. Therefore, the Division suggests that if the Commission meant to refer to subsection 54-26-505, the reference in Proposed Rule R746-318-601(2)(b) could be to subsections 505(5) and 505(4) of the statute (instead of subsection 505(2)).
- In section R746-318-501(2)(e)(ii) of the Proposed Rules, the Division suggests that “large load construction agreement” be changed to “large load construction contract,” as the latter is how the definition is worded in the statute. Similarly, the Division suggests that in section R746-318-501(2)(f)(ii) that “large load service agreement” be changed to “large load service contract.”

cc: Max Backlund, RMP
Jana Saba, RMP
Michele Beck, OCS

² Office of Consumer Services’ Proposed Rule Comments at 4.