ROCKY MOUNTAIN POWER®
A DIVISION OF PACIFICORP

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August 20, 2026

VIA ELECTRONIC FILING

Utah Public Service Commission
Heber M. Wells Building, 4th Floor
160 East 300 South
Salt Lake City, UT 84114

Attention: Gary Widerburg
Commission Administrator

Re: **Docket No. 25-R318-01**–Proposed Rulemaking Concerning Utah Code §§ 54-26-101 to -901, Large-Scale Electric Service Requirements
Docket No. 24-035-43–Division of Public Utilities Request for an Investigatory Docket Regarding Rocky Mountain Power's Line Extension Policy for Large Loads
Rocky Mountain Power Responsive Comments

Pursuant to the Notice of Additional Comment Period ("Notice"), issued on July 22, 2026, by the Public Service Commission of Utah ("Commission"), Rocky Mountain Power ("Company") hereby submits for filing its responsive comments addressing the Commission's questions on specific issues related to proposed amendments to Utah Admin. Code R746-318 (the "Rule") and comments from the parties.

Response to Commission Question No. 1:

The Commission requested that the Company provide comments regarding what information it requires from a third party who plans to provide a closed private generation system, and if the Company should be required to respond to the declaration request within a particular time period.

The following information should enable the Company to confirm that the closed private generation system is electrically separated from the Company's transmission and distribution system. This is necessary in order to determine whether the closed private generation system will impact existing customers in a negative or unintended way.

- Customer and project information, including customer and project name, project location, contact information, developer/generation owner, load owner/operator, and date of declaration request.
- Project description, including confirmation that the qualifying load will be greater than or equal to 100 MWs within five years of the requested initial start date.
- Closed private generation system conformity information, including how the load and generation facility will be directly connected to each other; confirmation of any electrical connection (existing or new) to the Company's and/or other electric provider transmission or distribution system; any planned switching, transfer, backup, emergency,

or bypass arrangements; documentation, including designs and protections, to demonstrate the private generation facilities have no possible path to parallel with the Company's systems; identification of all points of physical and electrical separation between closed private generation system and the Company's facilities.

- Customer confirmation that all energy sources from the closed private generation system are completely isolated from Rocky Mountain Power sources with no capability of switching between them, such that they have no capability of connection.
- Customer confirmation that it will not connect energy sources from the closed private generation system to Rocky Mountain Power sources in the future without prior written agreement from Rocky Mountain Power.
- Grant the Company access to the project site to confirm electrical separation described in the required documentation.
- Any additional information determined necessary by the Company.

Please see Exhibit A for the Private Generation Island Information Form for a comprehensive list of requirements. The Company also recommends that the Commission consider requiring the closed private generation system to pay a fee, which the Company suggests be $15,000, to the utility to offset the costs for engineering review and site visits. If the Commission agrees the Company will submit a tariff filing to implement a fee.

After the Company has determined that it has received the necessary documentation and completed any necessary site verification to provide a declaration, the Company proposes that it will provide a declaration within seven business days. This ensures that the Company is not expected to make a determination with inadequate information by allowing adequate time for evaluation of the documentation and for the Company to physically inspect the closed private generation system.

Related to Commission Question No. 1, in response to the Division of Public Utilities' (DPU) suggestion, the Company is willing to work with applicants before a contract is executed.

Additionally, in contrast to Calpine and Utah Association of Energy Users (UAE), the Company believes that the declaration requirement is necessary to ensure the safety and reliability of the system. These large loads are often sited near existing interconnection facilities and plan to serve customers with existing electric service, or the developer has existing interconnection agreements. Verifying complete separation of the electrical systems is absolutely necessary for the Company to ensure that these private generation arrangements have no impact on the safety and reliability of the service that the Company is providing to other customers.

With regard to Calpine's recommendation that an independent engineer, rather than the Company, should confirm system configuration complies with the statute, the Company remains concerned that this approach does not comport with the Company's obligation to provide safe and reliable service to the Company's remaining customers.[1] That obligation is the Company's alone, and no outside party can make a declaration on behalf of the Company.

Rocky Mountain Power believes the proposed clarifications above represent reasonable reforms to the declaration process to ensure that a balance between meeting customer needs and ensuring the safety and reliability of the system is met.

Response to Commission Question No. 2:

The Commission requested that the Company and other interested parties respond to Calpine's June 16, 2026, assertion that the Company's federally regulated Open Access Transmission Tariff ("OATT") cannot accommodate full implementation of Utah Code Title 54, Chapter 26 (the "Act").[2]

Calpine's assertion should not be read as leaving the Commission without authority to implement the Act fully because the Act directs the Commission to adopt rules addressing matters that are and always have been within state retail ratemaking and service quality jurisdiction: i.e., contracting requirements and credit support for Large Load Customers; cost allocation and ratepayer protections; service territory and interconnection requirements; and delivery of energy over the Company's state-jurisdictional distribution system. The Commission's rules implementing the Act can and should fully define the non-discriminatory terms on which Large Load Customers access the Company's jurisdictional distribution facilities and retail service offerings, without needing to reach the Federal Energy Regulatory Commission ("FERC")-jurisdictional OATT.

Calpine's assertion that the OATT does not clearly implement Utah Large Load Customers' rights to unbundled transmission service does not account for the actual terms of PacifiCorp's OATT. The OATT defines "Eligible Customer" to include any retail customer taking unbundled transmission service pursuant to a state requirement that PacifiCorp offer the transmission service, or pursuant to a voluntary offer of such service by PacifiCorp. That definition establishes two independent, alternative pathways to Eligible Customer status for retail customers seeking unbundled transmission service: (1) a state-law requirement that the Company offer the service, or (2) the Company's own voluntary offer. As such, a Large Load Customer becomes an Eligible Customer under the existing, FERC-approved OATT the moment either condition is satisfied.

The Act, and rules the Commission adopts under it, are precisely the type of state-law action the first pathway contemplates. When the Commission's rules obligate the Company to provide non-discriminatory delivery of energy from a Connected Generation System to a Large Load Customer's load – including the unbundled transmission component of that delivery – the Commission's rule itself functions as the "state requirement that the Transmission Provider offer

[1] Utah Code §54-3-1 "Every public utility shall furnish, provide and maintain such service, instrumentalities, equipment and facilities as will promote the safety, health, comfort and convenience of its patrons, employees and the public, and as will be in all respects adequate, efficient, just and reasonable."
[2] 54 Utah Code Ann., Chap. 26.

the transmission service" referenced in the OATT's Eligible Customer definition.[3] At that point, the affected Large Load Customers become Eligible Customers under PacifiCorp's existing OATT by its tariff's own terms, without the Commission reaching, remediating, or otherwise acting upon the OATT itself, and without any need for a substantive OATT amendment at FERC.

Response to Commission Question No. 3:

In the Notice, the Commission asks the Division of Public Utilities ("DPU"), the Company, and any other interested stakeholders to "make specific recommendations regarding methods for ensuring costs for existing transmission facilities are recovered from large load customers and to explain how an applicant might satisfy the DPU's proposed requirement."

The Company recommends that costs associated with a large load customer's ongoing use of the transmission system should be addressed in future approvals of large load service contracts. While the Company believes the Act provides broad flexibility in the contractual structures between the Company and a large load customer, it has contemplated specific structures which could address the Commission's concern in future large load contracts. One such structure is through the implementation of a dedicated new monthly charge (the "Peak Demand Charge"). The Peak Demand Charge would be a monthly charge based on the large load customers' actual highest demand (i.e., the customer's peak actual usage) during the month, adjusted for the power factor. The charged amount would be equal to the sum of the current effective monthly-firm Schedule 1, Schedule 3, and Network Integration Transmission Service rates posted by PacifiCorp Transmission under its OATT. The Peak Demand Charge would be subject to annual true-up under PacifiCorp Transmission's OATT so that it continues to reflect current OATT rates over the life of the Large Load Customer's agreement. The revenue from this charge would be allocated among PacifiCorp's six-state service territory consistent with the treatment of other OATT revenues, ensuring existing customers are not subsidizing the ongoing cost to transmit power to the large load customer.

The Peak Demand Charge should be distinct from, and in addition to, any contract mechanisms to recover large load incremental costs, as defined in the Act, such as contribution in aid of construction ("CIAC") obligations and/or reservation charges. This separation serves to both aid in the separate accounting requirements of the Act and ensures a reasonable contribution towards existing transmission facilities from large load customers.

To avoid double recovery, costs that are directly assigned to the Large Load Customer for incremental distribution and/or transmission facilities should be excluded from rate base while the Large Load Customer's load should be removed from system allocation factors to the extent its incremental costs have already been isolated and separately recovered. This preserves a clean distinction between (i) the Large Load Customer's share of legacy/embedded transmission costs, recovered by the Peak Demand Charge, and (ii) new investment the Large Load Customer causes, recovered by CIAC and/or a reservation-type charge. This treatment is also consistent with the Commission's previous approval of a large load contract.

[3] See OATT 1.12.

Response to Recommendations from other Parties:

Utah Association of Energy Users ("UAE")
UAE also recommends that the Company be prohibited from designating the cost-account methodology as "regulator access only." However, attempting to separate the cost-allocation methodology from the commercially-sensitive terms of the special agreement is nearly impossible. Additionally, using a public pricing methodology as suggested by UAE significantly limits the Company's ability to effectively negotiate a commercially viable agreement with large load customers. The Company recommends that the Commission reject the suggestions from UAE.

Calpine/Enyo
Calpine and Enyo additionally recommend an absolute bar on the Company accessing a competitor's credit and pricing terms. Rocky Mountain Power has not sought to access a competitor's credit or pricing terms. However, the Commission should have the flexibility to determine if the Company needs this information upon meeting the high bar of refuting a rebuttable presumption.

Office of Consumer Services ("OCS")
The Company supports the clarifications that have been identified by the OCS.

Recommendations:

The Company provides this summary of its recommendations, which are explored in detail in these comments. The Company's recommendations are designed to protect Utah ratepayers and provide a clear set of rules for large load customers.

- Approve the list provided by the Company of crucial information to enable the Company to confirm that the private island is electrically separated from the Company's transmission and distribution system.
- Approve the Company's suggestion that a $15,000 fee is appropriate for closed private generation systems to pay for engineering and site visit work to verify the private island is electrically separated from the Company's transmission and distribution system.
- Reject the recommendation from UAE and Calpine to drop the requirement for the declaration. The declaration requirement is necessary to ensure the safety and reliability of the system.
- Reject Calpine's recommendation that an independent engineer, rather than the Company, should confirm that the system configuration complies with the statute. The Company has an obligation to provide safe and reliable service to the Company's customers, and no outside party can make a declaration for the Company.
- Modifying the Rule to require the Company to provide a declaration within seven business days after the Company has received the necessary documentation and completed any necessary site verification to provide a declaration.

- Reject Calpine's assertion that the Company's federally regulated OATT cannot accommodate full implementation of the Act because the Act directs the Commission to adopt rules addressing matters that are and always have been within state retail ratemaking and service quality jurisdiction.
- Approve the Company's recommendation that costs associated with a large load customer's ongoing use of the transmission system should be recovered through a variable-cost monthly charge, the "Peak Demand Charge," that is distinct from, and in addition to, any CIAC obligation and/or reservation charge to recover costs of incremental facilities needed to serve the Large Load Customer, or other similarly robust structure approved by the Commission.
- Reject the recommendation from UAE that the Commission prohibit the Company from designating the cost-account methodology as "regulator access only." Attempting to separate the cost-allocation methodology from the commercially-sensitive terms of the special agreement is nearly impossible. Additionally, using a public pricing methodology as suggested by UAE significantly limits the Company's ability to effectively negotiate a commercially viable agreement with large load customers.
- Reject the recommendation from Calpine and Enyo to establish an absolute bar on the Company accessing a competitor's credit and pricing terms. The Commission should have the flexibility to determine if the Company needs this information.
- Adopt the clarifications that have been identified by the OCS.

Conclusion:

The Company appreciates the opportunity to participate throughout this proceeding and for the opportunity to provide these responsive comments. The Company looks forward to collaborating with the Commission and the parties to protect Utah ratepayers and provide clarity for current and future large load customers.

Informal inquiries may be directed to Max Backlund at max.backlund@pacificorp.com.

Sincerely,

Jana Saba

Jana Saba
Director, Regulation and Regulatory Affairs

CERTIFICATE OF SERVICE

Docket Nos. 25-R318-01 / 24-035-43

I hereby certify that on August 20, 2026, a true and correct copy of the foregoing was served by electronic mail to the following:

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Request for Rocky Mountain Power Declaration: Large Load Closed Private Generation System

Purpose

This form is intended to collect information from customers seeking a written declaration from Rocky Mountain Power that a proposed generation facility and associated load facility will operate as a Closed Private Generation system.

The information provided should demonstrate that the development conforms with Utah Code Section 54, chapter 26. Large-Scale Electric Service Requirements and Utah Administrative Rule, R746.318.601 for closed private generation systems.

1. Customer and Project Information

Information Requested
Customer legal name
Project name
Project location, including county and parcel description if available
Primary contact name, title, phone, and email
Developer or generation facility owner, if different from customer
Load facility owner or operator, if different from customer.
Date of request for declaration

2. Project Description

Information Requested
Brief description of the proposed development
Total anticipated load to be served by the closed private generation system, in megawatts, to confirm that the qualifying load will be greater than or equal to 100 MW

3. Closed Private Generation System Conformity Information

Conformity Item
Information to confirm that the closed private generation system will serve qualifying load with cumulative electrical demand greater than or equal to 100 MW within five years of the requested initial in-service date.
Description of how the generation facility and load facility will be directly connected to each other.
Information to confirm whether the closed private generation system will have any electrical connection to Rocky Mountain Power's transmission or distribution system.
Information to confirm whether the closed private generation system will have any electrical connection to the customer's existing electrical infrastructure that is served by Rocky Mountain Power.
Information to determine whether the closed private generation system will have any electrical connection to any other transmission service, municipal service, or other utility provider.
Identify any planned switching, transfer, backup, emergency, or bypass arrangements.
Documentation to demonstrate that the generation facility has no possible path, in any of the customer's system configurations, to parallel with the Rocky Mountain Power systems or existing service.
Explain how the design prevents the generation facility from paralleling with other customer electrical infrastructure.
Identify all points of physical and electrical separation between the closed private generation system and Rocky Mountain Power facilities.
Describe any protection, control, interlock, grounding, or isolation measures used to maintain electrical separation.

4. Required Documentation

To verify that the generation facility will operate as an electrically isolated closed private generation system, with no capability to parallel with the Rocky Mountain Power system or the customer's existing electrical infrastructure, Rocky Mountain Power requests the following documentation:

- A detailed, stamped electrical single-line diagram for both the generation facility and the load facility. The diagrams should clearly identify all generation, load, switching, protection, and isolation equipment, as well as the electrical separation between the facilities.

- A site plan or layout showing the physical location of the generation facility, load facility, Rocky Mountain Power facilities, existing customer service facilities, and all proposed points of separation.
- A statement identifying whether any backup, standby, emergency, temporary, construction, or other electric service is requested or expected from Rocky Mountain Power for either the generation facility or the load facility.
- If applicable, documentation showing that any existing Rocky Mountain Power service to the customer will remain physically and electrically separate from the proposed closed private generation system.

5. Customer Certification

By submitting this form, the customer certifies that the information provided is accurate and complete to the best of the customer's knowledge and that the proposed facilities are designed to operate as a closed private generation system that is electrically separate from the Rocky Mountain Power system and from the customer's existing electrical infrastructure served by Rocky Mountain Power. The customer acknowledges and agrees that the generation facility, load facility, and any associated facilities will be constructed, operated, and maintained so that they remain electrically separate from the Rocky Mountain Power system and from any existing customer electrical infrastructure served by Rocky Mountain Power, with no capability to synchronize or operate in parallel with either system. The customer further acknowledges that Rocky Mountain Power may request additional information, engineering documentation, or clarification before issuing any declaration.

The customer further acknowledges that if the customer later wishes to connect any portion of the load facility, generation facility, or associated facilities to the Rocky Mountain Power system, the customer must first submit the appropriate application through Rocky Mountain Power's applicable service, interconnection, transmission, or other required application channels and obtain all required approvals before making any physical change, electrical connection, or operational modification that could affect the electrical separation described in this form.

The customer agrees to provide Rocky Mountain Power, upon reasonable advance notice and subject to applicable safety, security, and confidentiality requirements, reasonable access to the project site and relevant facilities for the limited purpose of confirming the electrical separation described in this form and the supporting documentation. Site access may include visual inspection of points of interconnection, separation, switching, protection, and isolation equipment relevant to Rocky Mountain Power's review of the requested declaration.
Authorized Customer Representative
Title
Company
Signature
Date

6. Rocky Mountain Power Review

Rocky Mountain Power's review of this form and supporting documentation is limited to evaluating whether the materials provided support the requested declaration regarding electrical separation. Any declaration issued by Rocky Mountain Power does not constitute approval of the customer's design, safety systems, permitting, regulatory compliance, operational readiness, or compliance with any law or requirement outside the scope of the declaration.

7. Submission Instructions

Please return the completed form and all supporting documentation to Rocky Mountain Power at largeloads@pacificorp.com. Customers should include the project name in the subject line and identify the primary project contact in the body of the submission email.