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State of Utah
DEPARTMENT OF COMMERCE
Office of Consumer Services

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To: Utah Public Service Commission

From: Office of Consumer Service
Michele Beck, Director
Cheryl Murray, Utility Analyst

Date: March 2, 2020

Subject: Future Procedural Schedule for the Energy Balancing Account (EBA).
Docket No. 09-035-15.

Introduction

In its November 14, 2019 order in Docket No. 09-035-15, the Public Service Commission (PSC) stated that “Any interested party may file comments on the future procedural schedule for the EBA by Monday, March 2, 2020”. [Order at page 10.]

The following comments provide the Office of Consumer Service’s (OCS) perspective on the future procedural schedule for the EBA.

Discussion

Comments were provided to the PSC by Rocky Mountain Power (RMP) on February 24, 2020, wherein RMP proposed that the current schedule be modified reducing the time allowed for the Division of Public Utilities (DPU) to conduct its audit of the EBA account from eight to five months.

Today, March 2, 2020, the DPU provided its comments to the PSC stating that the complexity of the EBA is increasing and recommending that the PSC “retain the current EBA audit filing deadline of November 15. The Division recommends the Commission continue with the EBA schedule currently approved in Electric Service Schedule No. 94.” [DPU March 2, 2020 comments at page 4.]

The OCS agrees with the DPU that RMP's proposal to change the audit period from eight months to five months constitutes a significant decrease. The OCS would only support such a change if the DPU indicates that it could complete its work in the reduced time.

Utah statute clearly indicates that "an energy balancing account may not alter the standard for cost recovery." 54-7-13.5 (3)(e)(i) The DPU audit is essential to meeting this requirement and ensuring proper regulatory oversight. Thus, the EBA schedule must include adequate time.

Finally, the OCS notes that RMP has not shown any harm under the current schedule given the application of a carrying charge to the EBA.

Recommendations

The OCS recommends that the PSC maintain the current EBA schedule.