



State of Utah
Department of Commerce
Division of Public Utilities

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ACTION REQUEST RESPONSE

To: Public Service Commission of Utah
Ted Boyer, Chair
Ric Campbell, Commissioner
Ron Allen, Commissioner

From: Utah Division of Public Utilities
Phil Powlick, Director
Artie Powell, Energy Section manager

Date: April 15, 2009

Subject: Docket No. 09-035-T03, (Second) Proposed Changes to Electric Service Schedule 135 in Compliance with Commission Order (Docket No. 08-035-78); PacifiCorp Advice No. 09-03 Net Metering Service

RECOMMENDATION

Upon review of the Company's second application and proposed changes to Schedule 135, Net Metering the Division recommends approval with an effective date of April 1, 2009.

ISSUE

On or about March 16, 2009, Rocky Mountain Power ("Company") filed proposed changes to Electric Service Schedule 135, Net Metering, in response to the Public Service Commission's order dated February 12, 2009, in Docket 08-035-78 ("Order"). On March 25, in response to an Action Request from the Commission, the Division filed comments on the

Company's proposed changes. To reflect better the Commission's order, in its comments the Division recommended three additional language changes. In response, the Company filed a second proposed tariff on April 9, 2009. The Commission sent a second Action Request to the Division requesting a review of the Company's second application for compliance with the Commission's order.

DISCUSSION

In its memo dated March 25, 2009, the Division recommended approval of the Company's proposed changes to Schedule 135, Net Metering tariff subject to three additional language changes. First, the Division recommended language clarifying Paragraph 2.A describing compensation for Residential and Small Commercial customers. Second, the Division suggested that the Commission instruct the Company to include language clarifying that the appropriate minimum bill will apply to net metering customers who provide excess net generation in a month. Third, the Division recommended removing a reference to the year "2009" in Paragraph 2.B.iii of the proposed tariff, or as an alternative include language to clarify that the referenced data will be available by July 1st of subsequent years. The Company has included language in the second application adopting each of the Division's recommendations. Therefore, the Division recommends approval of the changes to Schedule 135 as filed by the Company in its second application dated April 9, 2009 with an effective date of April 1, 2009.