



JON HUNTSMAN Jr.
Governor
GARY HERBERT
Lieutenant Governor

State of Utah
Department of Commerce
Division of Public Utilities

FRANCINE GIANI
Executive Director

THAD LEVAR
Deputy Director

PHILIP J. POWLICK
Director, Division of Public Utilities

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: March 25, 2009

Subject: Docket No. 09-035-T04, Schedule 111 – Home Energy Savings Incentive Program; Rocky Mountain Power Advice No. 09-04

ISSUE

On or about March 23, 2009, Rocky Mountain Power (“Company” or “RMP”) filed an application requesting changes to its Home Energy Savings Incentive program offered through Schedule 111. In particular, RMP is requesting to reduce the incentives paid for insulation measures. RMP has asked for an implementation date “that aligns with the Commission’s order in the Questar filing [Docket No. 09-057-T04], which requests an effective date of April 1, 2009.” For this reason, RMP requests that its application be addressed on an expedited basis.

On March 24, 2009, the Public Service Commission (“Commission”) issued an Action Request to the Division of Public Utilities (“Division”) with a response date of ASAP and with an effective date of April 1, 2009.

RECOMMENDATION

For the reasons discussed herein, the Division requests that Commission allow more time for review of RMP’s application and, thus, recommends that the Commission deny the Company’s request for expedited treatment and an effective date of April 1, 2009.

DISCUSSION

RMP filed its application with the Commission on March 23, 2009, requesting expedited treatment and an effective date of April 1, 2009. Assuming the Commission would hold a hearing in the matter in advance of the effective date, this would leave the Division less than four working days to review the Company’s application and prepare a detailed response. On its face, the Company’s request for expedited treatment in this amount of time is unreasonable.

The Division also notes that a similar request filed by Questar Gas Company (“QGC”) to reduce its incentive levels paid for insulation programs has generated considerable public response and opposition. For example, at the hearing in QGC’s application (Docket No. 09-057-T04) more than 50 customers and insulation contractors appeared with approximately 20 of these requesting to testify during the public witness phase of the case. The Company’s request in this case for expedited treatment would effectively bar the public from participation.

For these reasons, the Division recommends that the Commission deny the Company’s request for expedited treatment and schedule a hearing at least 30 days out from the date of the Company’s application. If the Commission adopts this recommendation, the Division will

review the Company's application and file comments and recommendations prior to the hearing. If the Commission denies or modifies this recommendation, the Division will respond to the Commission's Action Request as soon as possible. At the earliest, however, the Division would not be able to respond before April 15, 2009.

CC Michele Beck, Committee of Consumer Services
Dave Taylor, Rocky Mountain Power
Jeffery Larsen, Rocky Mountain Power