

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Advice Filing 09-05 of	)	<u>DOCKET NO. 09-035-T05</u>
PacifiCorp d/b/a Rocky Mountain Power for	)	
Changes to Schedule 113 – Cool Cash	)	<u>ORDER APPROVING TARIFF</u>
Incentive Program	)	<u>MODIFICATION</u>
	)	

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ISSUED: June 10, 2009

By The Commission:

On April 7, 2009, PacifiCorp d/b/a Rocky Mountain Power (“Company”) submitted Advice No. 09-05 regarding proposed modifications to Schedule 113 – Cool Cash Incentive Program (“Program”). The proposed tariff modifications would change existing language defining incentive payment eligibility. The Company requested a May 7, 2009, effective date.

The Division of Public Utilities (“Division”) filed a memorandum dated April 30, 2009, recommending the Commission suspend the proposed changes until the Company filed the required documentation of the cost benefit tests and the Division had sufficient time to review the completed filing.

The Committee of Consumer Services (now the Office of Consumer Services or “OCS”) also filed a memorandum on April 30, 2009, recommending specific sections of the tariff needed clarification and suggesting additional reporting requirements. OCS’s suggested recommendations are: 1) The language on Third Revision of Sheet No. 113.3, describing the limits on incentives paid to customers, should be clarified to more precisely describe the incentive limitations; 2) the Company should be required to provide information on the progress of the Program as well as its cost effectiveness on an annual basis to the Utah Demand Side

Management ("DSM") Advisory Group; 3) the number of single households receiving multiple incentives should be monitored and results reported to the Utah DSM Advisory Group no later than March 2010 to evaluate the appropriateness of continuing this measure; and, 4) the Company should be required to provide notification of Program changes or termination to dealers and customer service representatives a minimum of 30 days prior to changes or termination.

The Company filed the information requested by the Division on May 7, 2009. On June 4, 2009, the Commission issued an Order suspending the proposed tariff modifications. On June 2, 2009, the Division filed additional comments recommending approval of the proposed tariff changes without modification. The Company did not respond to OCS's suggestions.

Based upon the pleadings filed herein and in the interest of timely implementation of the Program changes, we approve the proposed tariff as filed by the Company April 7, 2009. To foster understanding of Program performance and communication of Program changes over time, we concur OCS's recommended reporting requirements to the DSM Advisory Group and notification requirements to dealers and customer representatives are reasonable and direct the Company to implement these recommendations. To address the tariff language change recommended by OCS, we direct the Company to work with OCS to resolve this issue and to file a revised tariff to address OCS's concerns within 60 days of this Order.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The proposed Pacificorp d/b/a Rocky Mountain Power ("Company") tariff changes to Schedule 113 – Cool Cash Incentive Program, filed April 7, 2009, are approved with an effective date of May 7, 2009.
2. The Company shall report to the DSM Advisory Group and provide notification to dealers and customer service representatives as recommended by OCS herein.
3. Within 60 days, the Company shall file a revised tariff to resolve OCS's language concerns. That revised tariff filing will be treated in a new tariff docket.

This Report and Order constitutes final agency action in this docket. Pursuant to Utah Code Ann. §§ 63-46b-12 and 54-7-15, agency review or rehearing of this order may be obtained by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

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DATED at Salt Lake City, Utah, this 10<sup>th</sup> day of June, 2009.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary  
G#62416