



State of Utah
Department of Commerce
Division of Public Utilities

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MEMORANDUM

To: Public Service Commission

From: Division of Public Utilities
Philip Powlick, Director
Energy Section
Artie Powell, Manager
Charles Peterson, Technical Consultant
David Thomson, Technical Consultant

Date: February 15, 2010

Subject: Complete Filing Requirement in RMP Docket No. 10-035-13.

ISSUE:

On February 1, 2010, Rocky Mountain Power (RMP) filed an application with the Utah Public Service Commission (Commission) for Alternative Cost Recovery for Major Plant Additions of the Ben Lomond to Terminal Transmission Line and the Dave Johnston Generation Unit 3 emissions Control Measure pursuant to Utah Code Ann. §54-7-13.4. The application was also filed pursuant to the Test Period Stipulation filed in Docket No. 09-035-23 on May 14, 2009. Per Utah Code §54-7-12 (2) (b) (ii), parties have 14 days to challenge the completeness of application. The completeness of a filing is defined by Commission rule R746-700-30.

RECOMMENDATION (Accept as Complete Filing):

The Division of Public Utilities (Division) has reviewed the Application, as filed, and believes it should be accepted as a complete filing as contained in the Commission's rule R746-700-30.

DISCUSSION:

The Division has reviewed the application and compared the material filed with the application to the rules in R746-700-30. The table in the attached spreadsheet lists the above rules and whether the Division has verified that the information is contained in the filing. Based on the review, the Division concludes that RMP has filed information in each required area. Therefore, the Division is not challenging the completeness of RMP's filing. Although the Division has verified that information for each rule exists as required, the Division makes no judgment regarding the accuracy of the information or whether the Division agrees with the information as filed.

Since this is the first filing for RMP per Utah Code Ann. §54-7-13.4 and the rules in R746-700-30, the Division wishes to provide comments as to how future filings could be made so as to facilitate its review completeness.

First, when the Company believes that a rule is not applicable, it would be helpful for RMP to explain why it has determined the rule is not applicable. Second, for filing requirement number five under general information of the rules, the Division would like to have more specific responses that directly demonstrate a relation to the prudence provisions of 54-17-13.4, and the provisions of 54-17-302 and 54-17-303. In other words, we would like a more specific response to the provisions of the above instead of a general response to the filing requirement. Additionally, the Division suggests that in future filings, the Company be more specific as to the information filed that responds to a given filing requirement, rather than simply "see folder A on the attached CD." For example, "Folder A contains the report of the outside consultant covering this issue."

Cc: Dave Taylor, Rocky Mountain Power
Michele Beck, Office of Consumer Services
Cheryl Murray, Office of Consumer Services