



State of Utah
Department of Commerce
Division of Public Utilities

FRANCINE GIANI
Executive Director

THAD LEVAR
Deputy Director

CHRIS PARKER
Director, Division of Public Utilities

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Governor
GREG BELL
Lieutenant Governor

ACTION REQUEST RESPONSE

To: Public Service Commission of Utah

From: Division of Public Utilities
Chris Parker, Director
Energy Section
Artie Powell, Energy Section Manager
Thomas Brill, Technical Consultant
Abdinasir Abdulle, Technical Consultant

Date: January 19, 2011

Re: Docket No. 10-035-T16 – Schedule 110 – ENERGY STAR New Homes Program

RECOMMENDATION (APPROVAL)

The Division of Public Utilities (Division) recommends the Public Service Commission (Commission) approve Rocky Mountain Power's (Company) proposed removal of the reference to specific years from the ENERGY STAR New Homes program tariff and the modifications contained in the attached red lined tariff sheets effective January 27, 2011. The Division also recommends that the Commission approve the Company continuing to pay builder incentives for the period between December 31, 2010 and January 27, 2011.

ISSUE

On December 28, 2010, the Company filed an application with the Commission requesting the removal of references to specific years from the ENERGY STAR New Homes Program Tariff (Schedule 110). The Company also requested that the Commission approve the Company continuing to pay builder incentives for the period between December 31, 2010 and January 27, 2011. On December 29, 2010, the Commission issued an Action Request for the Division to

investigate the filing and submit its response by January 20, 2011. The Company requested an effective date of January 27, 2011.

DISCUSSION AND CONCLUSION

In its application dated December 28, 2010, the Company requested Commission approval to remove from the ENERGY STAR New Homes Program tariff references to specific years. The Division reviewed the tariff sheets of Schedule 110 – ENERGY STAR New Homes Program and determined that the tariff specifically indicates that builder incentives are available for qualifying equipment fully installed at the customer site by the 2009-2010 Application deadline and that measures for the single and multifamily Tiers 1 and 2 need to meet 2009 ENERGY STAR specifications.

These specific year references will necessitate that the Company file annually a proposed tariff change to update the referenced year. Because of the inefficiency associated with the specific year references, the Company proposed to replace it with “annual Application Deadline.” Regarding the specific year problem of the ENERGY STAR specification, the Company recommends removal of the specific year reference. The Division believes that these recommendations are reasonable. The Company’s proposed changes are administrative and have no effect on the program eligibility requirements, incentive levels, savings, and expenditures. However, the Division notes that the proposed annual Application Deadline is not defined anywhere in the tariff. The Division and the Company discussed possible language for the application deadline and agreed upon the following:

Incentive applications must be submitted no later than 120 days from the date upon which the certificate of occupancy is issued by the applicable municipality for the subject residence.

Consequently, the Company modified the tariff sheets to include this definition and other language changes necessitated by the insertion of the definition. These modified tariff sheets are attached here in a red line format. The Division reviewed these tariff sheets and concluded that it includes the agreed upon changes. Therefore,

the Division recommends the Commission approve the Company's application with the modification contained in the modified tariff sheets effective January 27, 2011.

In its application, the Company also requested the Commission approve allowing the Company to continue paying builder incentives for the period between December 31, 2010 and January 27, 2011. The Company notes that there is a brief time period between the requested effective date, January 27, 2011, and the expiration date of the current program, which was December 31, 2010. In order to ensure program continuity and to allow the Company to recover expenditures on the incentives, the Division recommends the Commission approve allowing the Company to continue paying builder incentives during this brief time period.

CC: Dave Taylor, RMP
Michele Beck, OCS