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Division of Public Utilities

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RESPONSE TO ACTION REQUEST

To: Public Service Commission of Utah

From: Utah Division of Public Utilities
Chris Parker, Director
Artie Powell, Energy Section Manager
Abdinasir Abdulle, Technical Consultant
Doug Wheelwright, Utility Analyst

Date: October 30, 2012

Subject: Response to Action Request in Docket No. 12-035-100.

ISSUE

On October 9, 2012, Rocky Mountain Power (Company) submitted an application to the Public Service Commission of Utah (PSC) in Docket No. 12-035-100—, “Approval of Changes to Renewable Avoided Cost Methodology for Qualifying Facilities Projects Larger than Three Megawatts,” (Application) The Application asks for approval to change the avoided cost pricing calculation for large Qualifying Facilities (QF) approved in Docket No. 03-035-14 and reaffirmed in Docket No. 12-2557-01. In addition, the application asks for a scheduling conference an immediate stay of the application of the 2005 Order pending the conclusion of this docket. On October 11, the Commission issued an action request to review the application and make recommendations. This memo is in response to the action request.

RECOMMENDATION

The Division supports a review and examination of the avoided cost pricing for large QF facilities and recommends that the Commission notice a date for a scheduling conference. The purpose of the conference would be to establish an intervention deadline for parties who wish to participate, establish dates for the filing of any additional testimony or supporting memorandums as well as a date for a hearing in this docket.

On October 24, 2012, Patricia E. Schmid filed a brief on behalf of the Division of Public Utilities which addresses the Division's position and recommendation relating to the stay requested in this docket. While the Division believes that a stay may be appropriate in some circumstances, the Division requests that the Commission examine the status of affected projects and determine at what stage of development a stay is appropriate. In the absence of other appropriate criteria, the Division suggests that compliance with the requirements of Schedule 38 warrant exception from a stay. The Division supports a stay for projects not already known.

CC: David Taylor, Rocky Mountain Power
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