

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of Rocky Mountain Power to Increase Rates by \$29.3 Million or 1.7 Percent Through the Energy Balancing Account)) DOCKET NO. 12-035-67
In the Matter of the Rocky Mountain Power Proposed Schedule 94, Energy Balancing Account (EBA) Pilot Program Tariff)) DOCKET NO. 11-035-T10
)) ORDER

ISSUED: May 31, 2012

SYNOPSIS

The Commission approves the Company's Electric Service Schedule 94, Energy Balancing Account (EBA) Pilot Program compliance filing, with a modification.

By The Commission:

This matter is before the Commission upon the compliance filing by PacifiCorp, a public utility doing business in Utah as Rocky Mountain Power ("Company"), of its Electric Service Schedule 94, Energy Balancing Account (EBA) Pilot Program. The Company made this compliance filing on May 18, 2012.

On May 29, 2012, the Division of Public Utilities ("Division") filed a memorandum recommending the Commission approve the compliance filing with various language changes. These changes would incorporate into the proposed tariff two alternative methods for calculating the monthly EBA accrual. Generally, these methods reflect the Commission's decisions in Docket No. 11-035-T10 regarding the calculation of the monthly EBA accruals in different time periods, i.e., pre- and post January 1, 2012. While the Commission appreciates the Division's efforts to incorporate these calculation details into

Schedule 94, we find the Company's proposed tariff language is adequate, particularly in light of the additional details provided in our May 1, 2012 order in docket No. 11-035-T10.¹ The calculation method described in the Company's filing is consistent with our earlier decisions. Moreover, some of the Division's additions reflect interpretations that have not been vetted with the other participants in this docket.

We note proposed Schedule 94 includes, on Original Sheet No. 94.9, EBA rate percentages to facilitate recovery of the first \$20 million installment of pre-October 2011 deferred net power cost ("NPC"). The "APPLICATION" section of the proposed Schedule on Original Sheet 94.1, however, does not mention this aspect of the tariff. In this order we add language that makes this additional purpose of the tariff clear.

Finally, proposed Schedule 94 states on Original Sheet No. 94.8: "The EBA rate shall be implemented on an interim basis and shall remain in effect for the EBA Rate Effective Period. The interim rate shall become permanent upon a final order issued by the Commission." While our order establishing the EBA provides for an interim rate process, that process has been challenged in Docket No. 12-035-67, the Company's initial application to recover an EBA balance. Parties are currently preparing legal briefs on various issues that have been raised. In accepting proposed Schedule 94 with the quoted language, we do not express a decision on the questions that have been raised regarding the propriety and content of an EBA interim rates process. Rather, we accept the Schedule 94 language subject to our future order in Docket No. 12-035-67.

¹ The Division in its review also identified duplicate SAP 301409 accounts under FERC Sub 4471400. We direct the Company to remove the duplicate account per the Division's recommendation.

ORDER

The Company's May 18, 2012 compliance filing in these dockets containing Electric Service Schedule 94, Energy Balancing Account (EBA) Pilot Program is approved as in compliance with our prior orders, provided that the following sentence is added to the "APPLICATION" provision on Original Sheet 94.1: "This Tariff will also be used to collect the \$20 million of deferred net power cost approved in Docket Nos. 10-035-124 and 12-035-67."

DATED at Salt Lake City, Utah this 31st day of May, 2012.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DH#227019

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order 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. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 31st day of May, 2012, a true and correct copy of the foregoing Order was served upon the following as indicated below:

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