



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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Lieutenant Governor

ACTION REQUEST RESPONSE

To: Utah Public Service Commission

From: Utah Division of Public Utilities
Chris Parker, Director
Energy Section
Artie Powell, Manager
Carolyn Roll, Utility Analyst

Date: December 24, 2012

Re: Docket No. 12-035-T15, Filing the Attached Revised Schedule 107 Tariff Sheets.
Division's Recommendation – Approval

RECOMMENDATION (Approval)

The Division of Public Utilities (Division) recommends that the Public Service Commission (Commission) approve Rocky Mountain Power's (Company) proposed revised Schedule 107 tariff sheets, with an effective date of January 1, 2013.

ISSUE AND DISCUSSION

On December 4, 2012, the Company filed its revised Utah Tariff Schedule 107 (Solar Incentive Program) to provide clarity to customers interested in participating in the program. The primary concern of these edits is to clarify that systems designed to be compliant with Section 54-2-1(16)(d) of the Utah Code are eligible to participate in the Solar Incentive Program. The Solar Incentive Program is primarily designed to provide financial assistance for customers who purchase solar generating systems to offset their electricity usage onsite. Utah law generally prohibits a customer from interconnecting a generating system that is owned by a third party when the financial instrument controlling the transaction is written as a sale of the generation to the customer. However, Section 54-2-1(16)(d) of the Utah Code provides an exemption to this

prohibition in the case when the third party owner is supplying the generation to a government entity or a Sec. 501(c)(3) charitable organization. These edits provide enough flexibility within the tariff to allow participation of systems using this exemption.

The Company also proposed an edit to the Sheet No. 107.2: Enrollment Process a. clarifying that the Company will begin accepting applications on January 15 of each Program Year. Upon review the Division concludes that the tariff sheets filed provide increase clarity to customers interested in participating in the Solar Incentive Program and recommends that the Commission approve them.

CC: Dave Taylor, RMP
Michele Beck, OCS
Service List