



State of Utah
Department of Commerce
Division of Public Utilities

FRANCINE GIANI
Executive Director

THOMAS BRADY
Deputy Director

CHRIS PARKER
Director, Division of Public Utilities

GARY HERBERT.
Governor
SPENCER J. COX
Lieutenant Governor

ACTION REQUEST RESPONSE

To: **Public Service Commission**

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

Date: December 13, 2013

Subject: Action Request in Docket 13-031-T01, Mt Wheeler Power Co. Inc.

ISSUE:

On November 27, 2013, Mt. Wheeler Power Co. Inc. (Mt. Wheeler) submitted to the Utah Public Service Commission (Commission) for acknowledgement, an additional Rule proposed to be included in its tariff titled "Rule 9T – Primary Transmission Line Extension". This is the Division's response to the Commission's Action Request addressing that application.

RECOMMEND ACKNOWLEDGEMENT:

The Division recommends the Commission acknowledge Mt. Wheeler's Rule No. 9T with the effective date of November 5, 2013.

DISCUSSION:

Mt. Wheeler's Rule No. 9T is a provision addressing line extension for potential customers using at least 69kV. This rule would require up-front contribution in aid of construction as well as right-of-way rights assigned prior to construction beginning. By adding this new rule, Mt. Wheeler is assigning the costs and risks for large investments (over \$100,000) to be borne by the entity requesting the extension and not by Mt. Wheeler or the other customers.

The Division has reviewed the filing and discussed the proposed changes with Kevin Robison, Member Services Manager, from Mt Wheeler Power. During the Division review, a few typographical and grammatical errors were discovered which were addressed with Mr. Robison. In response, Mt. Wheeler has provided revised tariff sheets that supersede those included in the original filing. The revisions to the tariff sheets are for grammatical accuracy and do not alter the meaning or intent of the originally filed rule change. . The corrected tariff sheets have been provided by Mt. Wheeler Company and are included with this memo.

The Division recommends the Commission acknowledge Mt. Wheeler's Rule No. 9T with the effective date of November 5, 2013 and make them available for public inspection.

CC: Randy Ewell, General Manager, Mt. Wheeler Power Co.

Marialie Martinez, DPU

Mike Peterson, Director Utah REA

Michele Beck, OCS