

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of Rocky Mountain Power’s)
Proposed Changes to Regulation No. 4) DOCKET NO. 13-035-T12
“Supply and Use of Service” to Add)
Language Clarifying that Electric Vehicle)
(EV) Battery Charging Service is Not) ORDER APPROVING PROPOSED
Considered Resale of Electricity) TARIFF REVISIONS
)

ISSUED: October 1, 2013

By The Commission:

On September 6, 2013, Rocky Mountain Power, a division of PacifiCorp (“PacifiCorp”), filed Advice No. 13-11 proposing tariff sheets associated with Tariff P.S.C.U No. 49, applicable to electric service in the State of Utah. The proposed tariff changes are intended to clarify that electric vehicle (“EV”) battery charging service is not considered resale of electricity.

Pursuant to the Commission’s September 10, 2013, Notice of Filing and Comment period, the Utah Division of Public Utilities (“Division”) and Utah Office of Consumer Services (“Office”) filed comments to the proposed tariff revisions on September 19, 2013. On September 20, 2013, the Southwest Energy Efficiency Project, Utah Clean Energy, Salt Lake City Corporation, Utah Clean Cities Coalition and Wasatch Clean Air Coalition (collectively, “SWEEP/UCE”) filed comments to the proposed tariff revisions.

The Division comments cite to a report prepared by the Electric Transportation Engineering Corporation (“ETEC”) arguing the purchase of EV battery charging services does not constitute a resale of electricity but rather is akin to the purchase of other services where electricity is exchanged but the customer payment is for the service and not solely the electricity.

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The Division agrees with ETEC's assessment and recommends approval of the proposed tariff revisions.

The Division suggests, however, that in addition to the proposed tariff revisions requested in Advice No. 13-11, the Commission and other policy makers consider additional issues at the appropriate time, including: (a) what role, if any, should the utility have in providing EV battery charging service in the market; and (b) potential rules governing the provision of EV battery charging service.

The Office's comments cite to its September 10, 2013, comments on PacifiCorp's Smart Grid Monitoring Report in which it encouraged PacifiCorp to take a more proactive approach regarding preparation for wider spread use of EVs. The Office asserts the proposed tariff revisions addressing EV charging is appropriate and timely and therefore recommends the Commission approve Advice No. 13-11.

SWEEP/UCE supports approval of the proposed tariff revisions in Advice No. 13-11. The group asserts the proposed revisions would allow Electric Vehicle Supply Equipment ("EVSE") owners and operators additional flexibility in how they provide and sell electricity to EV owners at public charging stations. SWEEP/UCE further asserts the proposed tariff revisions will help open the market for additional EV charging stations in Utah, thereby providing EV drivers the confidence to take longer trips and giving consumers the confidence to purchase EVs. Finally, SWEEP/UCE asserts that because EVs can significantly reduce emissions of criteria pollutants compared to gasoline vehicles, increased use of EVs will help the region address its air quality problems.

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ORDER

Based on the comments and recommendation of the Division, Office and SWEEP/UCE, and for other good cause appearing, the proposed tariff sheets included in PacifiCorp's Advice No. 13-11 are approved as filed, effective October 6, 2013.

DATED at Salt Lake City, Utah, this 1st day of October, 2013.

/s/ Ron Allen, Chairman

/s/ David R. Clark, Commissioner

/s/ Thad LeVar, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DW#247586

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.

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CERTIFICATE OF SERVICE

I CERTIFY that on the 1st day of October, 2013, a true and correct copy of the foregoing ORDER APPROVING PROPOSED TARIFF REVISIONS was served upon the following as indicated below:

By Electronic Mail:

David L. Taylor (dave.taylor@pacificorp.com)
Rocky Mountain Power

Data Request Response Center (datarequest@pacificorp.com)
PacifiCorp

By Hand Delivery:

Division of Public Utilities
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Office of Consumer Services
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Administrative Assistant