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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Investigation of the Costs and Benefits of PacifiCorp’s Net Metering Program	<p style="text-align: center;">Docket No. 14-035-114</p> Vivint Solar, Inc.’s Request to Reject, Suspend, Alter, or Modify the Effectiveness of Tariff Sheets
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INTRODUCTION

In accordance with Utah Administrative Rule R746-405-2 E.4.b. and the Public Service Commission of Utah’s (“*Commission*”) Notice issued in this Docket on October 27, 2017, Vivint Solar, Inc. (“*Vivint Solar*”) requests that the Commission reject, suspend, alter, or modify the effectiveness of the tariff sheets Rocky Mountain Power (“*RMP*”) filed in this Docket on October 24, 2017. Specifically, Vivint Solar requests that the Commission suspend the tariff, or alternatively, reject the \$200-meter fee RMP proposed in the Special Conditions section 1.b) on Original Sheet No. 136.3 as the incremental cost of the bi-directional meter (the “*Meter*”) required by the Stipulation¹ and modify it to \$60. As explained below, many parties understood the incremental cost of the Meter to be \$60 when they entered into and signed the Stipulation.

BACKGROUND

Vivint Solar and other residential solar parties originally proposed a \$60 fee to cover the

¹ The Stipulation was filed in this Docket August 28, 2017 and approved by the Commission September 29, 2017 after hearing.

incremental costs of the Meter, which in settlement was later changed to “the incremental cost of the bi-directional meter” as part of the overall Stipulation. The parties continued to assert that \$60 was the incremental cost of a new Meter to measure and net a solar customer’s production and usage and no one disputed this assertion. Many parties thought RMP would file the \$60 fee in the revised tariff now before the Commission and were surprised by RMP’s filing. The parties never agreed, nor did they discuss prior to the distribution of the draft tariff on October 4, 2017, that the Meter fee would be \$200 as RMP proposed. The proposal came five days after the Commission had approved the Stipulation. Vivint Solar and other parties objected, but RMP refused to change it and filed the tariff sheets at the Commission using the proposed \$200 fee. RMP’s proposed fee has not been tested or verified by anyone other than RMP. RMP has asked the parties and the Commission to accept that it is just, reasonable, and accurate without review or analysis.

In an October 4, 2017 email message² to the parties that accompanied the draft tariff, RMP provided unexamined cost numbers to support the proposed \$200 Meter fee, claiming that it would take at least that much to recover the cost of the profile meters required to do the 15-minute netting mandated by the Stipulation. Apparently, the bi-directional meter required by the Stipulation that measures customers’ usage and production over longer intervals costs less. Vivint Solar and other solar parties³ had opposed the 15-minute netting interval but acceded to it as part of the overall Stipulation package, which included the incremental \$60 fee for the Meter. Solar customers should not now be forced to bear the increased cost of meters which RMP proposed after the Commission approved the Stipulation and does not fit the clear language of

² The text that addresses the proposed Meter fee in the October 4, 2017 email is attached as Exhibit A.

³ See the Surrebuttal testimony of Ryan Evans for USEA, lines 129-130.

the Stipulation. Additionally, the \$200 meter RMP is proposing to install gives customers no additional benefit; it is incapable of giving customers their 15-minute usage data to allow them to alter their behavior and reduce costs. Vivint Solar still supports the Stipulation and intends to abide by its terms, but RMP should not be permitted to unilaterally impose unexamined costs that were proposed after the Stipulation was approved and that exceed the requirements of the Stipulation.

SUMMARY OF OBJECTIONS

Vivint Solar objects to the proposed \$200 fee on four grounds: 1. the parties did not agree to it and were led to believe the incremental fee was \$60 for the Meter; 2. the cost evidence RMP submitted after the Commission approved the Stipulation is untested and not verified by anyone other than RMP; 3. if the Commission determines that \$200 is the correct fee required to recover costs of the Meter, then solar customers should not have to bear the additional costs above the agreed upon \$60 fee because the costs were not discussed, accepted, or agreed to when Vivint Solar and other parties conceded the 15-minute measurement interval and signed the Stipulation; and, 4. the Commission has not determined that \$200 is the correct fee required to recover RMP's actual costs and such costs should not be based on the informal process RMP followed or the unsupported evidence RMP provided to the parties.

REQUESTED RELIEF

Based on the foregoing, Vivint Solar requests that the Commission suspend the tariff or, alternatively, reject the \$200 fee RMP proposed and modify it to \$60 as the parties were led to believe represented the incremental cost of the Meter and agreed to in the Stipulation.

Respectfully submitted this 8th day of November, 2017.

/s/Stephen F. Mecham

Exhibit A

For the refundable meter fee, the company proposes a flat fee of \$200 for all new installations for the new program. The table below shows the specific cost for the new profile meter, necessary to do the 15-minute netting, including overhead and labor to install, net of the value of the existing meter to be redeployed (material only). For larger non-residential customers, the incremental costs of the meters are significantly higher, however, since there are fewer of those to be installed, and for simpler administration we are proposing this flat fee be applied to all new customer installations.

	Price	OH	Total
Profile Meter	\$ 124.94	10.80%	\$ 138.43
Std Meter	(31.91)	10.80%	(35.36)
Labor	88.00	0%	88.00
TOTAL			\$ 191.08

CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2017, I sent a true and correct copy of Vivint Solar, Inc.'s Request to Reject, Suspend, Alter, or Modify the Effectiveness of Tariff Sheets in Docket No. 14-035-114 by email to the following:

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