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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	**DOCKET NO. 14-035-114** **Comments of Utah Clean Energy, Including Request to Modify Tariff Language**

INTRODUCTION

Utah Clean Energy appreciates the opportunity to submit comments on Rocky Mountain Power's tariff compliance filing in Docket No. 14-035-114, which propose modifications to the existing Schedule 135 (*Net Metering Service*) and establish terms for the *Customer Generator Transition Program* (Schedule 136) intended to be consistent with the Settlement Agreement approved by this Commission on September 29, 2017.

BACKGROUND

On September 29, 2017, this Commission issued an order approving the multi-party Settlement Stipulation to resolve Docket No. 14-035-114 – *In the Matter of the Investigation of the Costs and Benefits of PacifiCorp's Net Metering Program*. The stipulation was the result of months of negotiations among settling and non-settling parties and navigates an extraordinarily fine balance between diverse stakeholder interests. The settling parties and, ultimately, the

Commission determined that the result was just and reasonable in result. In its Order approving the Settlement, the Commission required the Company to file revised tariff sheets to effectuate "all changes called for under the Settlement."[1]

On October 24, Rocky Mountain Power (the Company) filed tariff sheets in asserted compliance with the Commission's order. The Company's filing includes revisions to *Schedule 135 Net Metering Service* (comprised of three sheets), as well as new tariff sheets for *Schedule 136 Transition Program for Customer Generators* (comprised of six sheets). The Company requested an effective date of November 15, 2017, for the revised and new tariff sheets.

The tariff sheets for Schedule 136, which mirror Schedule 135, omit the special condition outlining the requirements for customer generators for meter aggregation. In its filing, the Company explained that it "is working with interested settlement parties to propose language that provides for aggregation of meters in the new transition program, which was not addressed in the stipulation."[2] The Company further indicated that "it anticipates making a subsequent tariff filing" – to be effective prior to December 1, 2017 – to reflect changes to Schedule 136 related to meter aggregation.[3] The Company has not yet filed this subsequent tariff filing.

SUMMARY OF RECOMMENDATIONS

Utah Clean Energy's comments focus on two issues. First, Utah Clean Energy recommends that the Commission modify language in the Company's proposed tariff sheets to provide for meter aggregation for Transition Customers before making the proposed sheets

[1] Docket No. 14-035-114, *Order Approving Settlement Stipulation* (Issued September 29, 2017), page 21 (ordering paragraph 4).
[2] Docket No. 14-035-114, *Rocky Mountain Power Compliance Filing* (October 24, 2017), page 1.
[3] *Id.*, page 2.

effective on November 15.[4] Second, without recommending current tariff changes related to this issue, Utah Clean Energy raises concerns with the Company's proposed metering and meter reading protocols for transition customers. Utah Clean Energy raises these concerns at this time and requests that the Commission investigate them and require that they be addressed thoroughly by the Company, in consultation with stakeholders, as soon as practicable and throughout the Transition Program.

COMMENTS

1. The Utah Administrative Code outlines the Commission's authority to alter tariff language before it becomes effective.

Utah Admin. Code Section R746-405-2(E) outlines requirements for tariff approval. Utility tariffs "may not increase rates, charges or conditions, change classifications which result in increases in rates and charges or make changes which result in lesser service or more restrictive conditions at the same rate or charge, unless a showing has been made before and a finding has been made by the Commission that the increases or changes are justified."[5] Tariff sheets covering a service, approved pursuant to a Commission order, may be filed by an advice letter and are to become effective no less than 30 calendar days after the filed date.[6] However, "Upon application in the advice letter and for good cause shown, the Commission may authorize tariff sheets to become effective on a day before the end of the 30 day notice period."[7]

[4] As discussed more below, Utah Clean Energy does not believe a suspension of the proposed tariff sheets is in the public interest; rather the Commission should exercise its authority under Utah Admin. Code R746-405-2(E)(4) to alter or modify the effectiveness of the tariff sheets to include additional language addressing meter aggregation, as exists in Schedule 135.

[5] Utah Admin. Code R746-405-2(E)(1).

[6] Utah Admin. Code R746-405-2(E)(2).

[7] Utah Admin. Code R746-405-2(E)(3).

The Commission has the authority to reject, suspend, alter, or modify the effectiveness of tariff sheets that do not conform to the rules, that have alterations or errors, or "for other reasons as the Commission determines."[8] Any party requesting that the Commission exercise this authority must do so no more than 15 days after the date the tariff sheets were filed with the Commission.[9] If the Commission exercises this authority, it shall notify the utility of its reasoning.[10]

2. Schedule 136, as it becomes effective on November 15, 2017, must include a Special Condition for Meter Aggregation for Transition Customers.

Utah Clean Energy recommends that the Commission exercise its authority under Utah Admin. Code R746-405-2(E)(4) and require the Company to include language providing for meter aggregation for Transition Customers to become effective under Schedule 136, as soon as the Transition Program takes effect on November 15, for the following reasons.[11] As explained by the Company in its filing, meter aggregation was not affirmatively discussed as part of the settlement negotiations; therefore, it is unreasonable to revoke a service that currently exists for rooftop solar customers without a prior Commission finding that this change is in the public interest or reasonable in result.

The rooftop solar Transition Program provides new conditions and rates for an existing service (rates for Customer Generators, currently net metering customers) under a new paradigm – that is, following the close of the net metering program on November 14, 2017. The proposed Schedule 136 tariff sheets were written with an intent to effectuate the terms of the Settlement

[8] Utah Admin. Code R746-405-2(E)(4).
[9] *Id.*
[10] *Id.*
[11] This request is timely pursuant to Utah Admin. Code R746-405-2(E)(4) and responsive to the Commission's *Notice of Filing and Comment Period* (October 27, 2017) in this matter.

Stipulation agreed to by signatories and ultimately approved by the Commission on September 29, 2017, and should include all rights and obligations of rooftop solar customers under the Transition Program as agreed to by the parties.

Parties to the Settlement did not discuss or agree to terminate the rights of Customer Generators to aggregate meters under the Transition Program. Indeed, it is Utah Clean Energy's understanding that all signing parties support maintaining meter aggregation service for Transition Customers so long as the terms of such service continue to be reasonable. The Company indicated in its tariff filing that it "is working with interested settlement parties to propose language that provides for aggregation of meters in the new transition program."[12]

Utah Clean Energy supports these efforts; however, Utah Clean Energy asserts that Schedule 136, as it becomes effective on November 15, must contain a condition allowing for meter aggregation under the Transition Program. The settling parties and, as a result, the Commission did not conclude that it was reasonable in result to terminate that service under the Transition Program, so the tariff should likewise not eliminate that service. The new tariff may not make changes which result in such lesser service or more restrictive conditions unless a showing has been made before and a finding has been made by the Commission that the changes are justified.[13] No such showing has been made and the Commission has made no such finding.

Utah Clean Energy recommends that the Commission alter the tariff language before it becomes effective on November 15, 2017, to allow for meter aggregation. Utah Clean Energy continues to support the Company's efforts to work with parties to ensure meter aggregation under the Transition Program is workable and reasonable, and will work to ensure any

[12] Docket No. 14-035-114, *Rocky Mountain Power Compliance Filing* (October 24, 2017), page 1.
[13] *See* Utah Admin. Code R746-405-2(E)(1).

subsequent reasonable tariff language proposed by the Company is approved in a timely manner (e.g. by December 1, 2017). Nevertheless, there should not be a gap in this service, by virtue of omitting its provision in Schedule 136, once the tariff becomes effective on November 15 until such time as the Company makes a new filing.

Utah Clean Energy recommends that the Commission include the special condition providing for meter aggregation, which currently exists in Schedule 135, in Schedule 136 before it becomes effective on November 15, 2017:

> Upon the customer-generator's request and within thirty (30) days' notice to the Company, the Company shall aggregate for billing purposes the meter to which the net metering facility is physically attached ("designated meter") with one or more meters ("additional meter") if the following conditions are met:
>
> (i) the additional meter is located on or adjacent to premises of the customer-generator;
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> (ii) the additional meter is used to measure only electricity used for the customer generator's requirements;
>
> (iii) the designated meter and additional meter are subject to the same rate schedule; and
>
> (iv) the designated meter and the additional meter are served by the same primary feeder.
>
> At the time of notice to the Company, the customer-generator must identify the specific meters and designate a rank order for the additional meters to which net metering credits are to be applied.[14]

Utah Clean Energy recommends that the Commission insert this language into proposed *Tariff Sheet 136.4* between Special Conditions numbers 8 and 9 (as new Special Condition number 9, with numbering of additional Special Conditions to continue sequentially thereafter).

Utah Clean Energy believes it is unnecessary to suspend the effectiveness of the proposed Schedule 136 tariff sheets. Rather, in order to allow the Transition Program to begin timely and consistent with the stipulation, Utah Clean Energy recommends that tariff sheets for Schedule

[14] Third Revision of Sheet No. 135.4, Special Condition 4. *Meter Aggregation* (Effective July 1, 2017 and Issued by authority of Report and Order of the Public Service Commission of Utah in Advice No. 17-09).

136 become effective on November 15, 2017, consistent with the foregoing recommendations. With the foregoing modification, Utah Clean Energy believes there is good cause to authorize the tariff sheets to become effective on a day before the end of the 30 day notice period.

3. Utah Clean Energy is concerned with the Company's plans for metering, meter reading, and information sharing for Transition Customers and recommends that this issue be investigated thoroughly going forward.

The approved Stipulation for the Transition Program provides that Transition Customers will pay a metering fee equal to the incremental cost of the bi-directional meter (refundable, if not installed), *as determined by the PSC*.[15] These meters must be capable of measuring and netting Transition Customers' usage and Export Credits in 15-minute intervals, as agreed to in the Stipulation.[16] The Company has included a proposed meter fee for Transition Customers on proposed tariff sheet 136.3.

As reflected in the proposed tariff sheets, the Company expects that the incremental cost of the bi-directional meter, capable of measuring and netting usage and exports in 15-minute intervals, will be around $200 (on an installed basis). Specifically, according to communications with Rocky Mountain Power, the Company estimates that the incremental cost of the bi-directional meter (above the cost of the transitional meter) is just over $100, with an additional roughly $90 added in for the cost of labor.[17] Because non-residential meters are more expensive though less frequently needed, the Company has proposed rounding up the incremental meter cost for all Transition Customers to $200 for ease of administration.[18] This incremental meter

[15] Docket No. 14-035-114, *Order Approving Settlement Stipulation* (Issued September 29, 2017), page 19 (emphasis added).
[16] *Id.* at 5.
[17] Communication between Joelle Steward and settlement parties, October 4, 2017.
[18] *Id.*

cost, while higher than stipulating parties anticipated at the time of settlement discussions, seems to be in line with the cost of other similarly-capable meters. Therefore, Utah Clean Energy is not recommending specific adjustments to the proposed tariff sheets with regard to the proposed meter fee.

However, Utah Clean Energy has learned additional details in conversations with the Company about Transition Customer meters that raise questions regarding the reasonableness of the Company's metering protocols for Transition Customers. Because the Commission must determine the meter fee for Transition Customers and has the ongoing obligation of determining the justness and reasonableness of fees and services for Rocky Mountain Power customers, Utah Clean Energy is raising these issues now to ensure they receive proper investigation soon and over the course of the Transition Program.

Based on Utah Clean Energy's current understanding, the meter proposed to be used by the Company is manufactured by Aclara. The meters will collect and store Transition Customers' usage and export data, which will then be read, manually, once per billing cycle. The meters will measure energy flows to and from customers – that is, they are not solar production meters capable of measuring solar generation produced or consumed behind the meter.[19] Because Transition Customers' usage and exports will be measured and netted in 15-minute intervals, the Company will be metering significantly more data than is typical for a residential customer (more than 2,800 rows of data in a 30 day billing month).

Although the Company currently has ubiquitous deployment of AMR meters (Advanced Meter Reading), manufactured by Itron, which are capable of being read remotely via utility

[19] Different meters are necessary to determine on-site consumption of solar generation. Utah Clean Energy understands that the Company is evaluating acquiring a sample of such meters as part of its load research study.

drive-by, the Aclara meters are not capable of being read remotely (at least for Transition Customers). Rather, the Company intends to send employees to Transition Customers homes each month to *hard-cable* meter reading equipment to the Aclara meters in order to manually obtain their monthly usage/export information.

In part because of the quantity of data, the Company does not plan to share the collected information with Transition Customers regarding their usage patterns. The Company will provide information regarding the aggregated net delivery to a customer and the net amount of excess generation received from a customer in each billing month. As a result, customers will not receive information about their usage and its relationship to system, jurisdictional, class, or substation peaks. Without access to their own usage information, customers will have no awareness of the relationship between their usage and impacts on the utility system, and will not be able to make informed decisions to reduce or shift their energy usage in ways that also reduce their utility bills under the Transition Program. Given that Customer Generators are paying the incremental costs for new metering equipment that will measure usage and exports on a 15 minute basis, Customer Generators should be granted access to the data the Company is collecting from them, at minimum, upon request.

At this point, Utah Clean Energy's primary concern is the fact that the Company is installing new, theoretically advanced/smarter, meters *that are not AMR capable* (or that collect too much information to allow the Company's current AMR technology to retrieve it). Utah Clean Energy is further concerned that customers will not have access to their own usage information, apart from monthly aggregated net amounts. Utah Clean Energy agreed to the stipulation – in particular the provision allowing 15-minnute netting – under the presumption, as informed by discussions with the Company, that Rocky Mountain Power had the capability to

practically and cost-effectively comply with the technical requirements of such frequent netting, and that the information gathered would prove useful both for assisting Transition Customers understand their usage/system impacts and in the upcoming export credit proceeding.

Utah Clean Energy is highly concerned that the Company is investing in "not-smart" infrastructure that will *create* additional costs associated with participation the Transition Program and obscure price signals that would help Customer Generators understand how to use energy more efficiently. While it seems clear that such additional costs are not eligible to be passed through to ratepayers via the Energy Balancing Account and will not immediately affect ratepayers, it is also not clear if the Company is being prudent in its acquisition of such questionable Transition Customer metering infrastructure. Given than the Company already utilizes Advanced Meter Reading (AMR) technology, it is perplexing and alarming that they are planning to invest in technology that must be read manually.

A neighboring utility, Xcel, is installing meters in Colorado that record 15-minute data from small customers.[20] These meters are called "bridge" meters because they have been designed to be a bridge from current AMR technology to future, smarter meters. According to Exel, they are able to collect and record data every 15 minutes.[21] Further, the bridge meters are

[20] UCE Exhibit 1 – Minutes from December 2016 stakeholder meeting for Xcel's TOU pilot program, page 6 (discussing the "Bridge" meters to be used for the TOU trial). The meters use the same AMR technology as Xcel's current AMR meters, which are read by a truck drive-by. Excel's pilot program stakeholder meeting minutes are available at https://www.xcelenergy.com/company/rates_and_regulations/stakeholder_group_meetings/pilot_and_trial_program_stakeholder_group. *See also* https://www1.itron.com/newsAndEvents/Pages/Itrons-New-Bridge-Meter-Streamlines-Migration-from-Automated-Metering-to-Smart-Grid-.aspx; https://www1.itron.com/newsAndEvents/Documents/iuw2013/AdvMetering_ImprovingTodayWhileProtectingTomorrow_ELambert.pdf. For additional information on deployment of similar meters in New Hampshire, see http://www.tdworld.com/ami/public-service-new-hampshire-implement-advanced-metering-system.

[21] Billing and Payment FAQs: *What is a bridge meter?*, *available at:* https://www.xcelenergy.com/billing_and_payment/understanding_your_bill/residential_rate_plans/rate_plans_faq#ducimus-culpa-similique-nam.

capable of being read through existing "drive-by" AMR meter reading protocol.[22] The cost of these meters is consistent with, and even lower than, the meters the Company plans to install for Transition Customers (less than $150 installed). Additionally, Excel plans to share each customer's own 15-minute usage information with them through a web portal called "Insight."[23] The data in Insight comes from Excel, monthly, through its AMR.[24]

It is clear that manual meter reading for 15-minute usage/export data is not the only option available in the market, nor is it likely the most reasonable. Investing in non-advanced infrastructure, at a time when meters, meter reading, and options for sharing information with customers are becoming more sophisticated, is questionable and must be investigated thoroughly. Utah Clean Energy recommends that the Commission open an investigation or require a stakeholder process to investigate and evaluate, as soon as possible (and throughout the Transition Program), reasonable and appropriate options for metering Transition Customers and for practicably distributing their usage information to them. Only with additional information will the Commission be able to determine a just and reasonable meter fee and metering protocols for Transition Customers.

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[22] *Id. Is the new meter a smart meter?* "Your new meter will be a bridge meter that will be read the same way your current meter is read. A bridge meter is a meter that measures electric usage in 15 minute increments, stores that data and transits it monthly via our existing system with manual drive-by readings. By recording energy usage in 15 minute increments, then we can bill customers on the new pricing plans."

[23] UCE Exhibit 2 – Minutes from June 2017 stakeholder meeting for Xcel's TOU pilot program, page 11 (discussing a proposal to create an "Insight" web page where the customer can see analysis of their own 15 minute data). Excel's pilot program stakeholder meeting minutes are available at https://www.xcelenergy.com/company/rates_and_regulations/stakeholder_group_meetings/pilot_and_trial_program_stakeholder_group.

[24] *Id.*, page 11.

CONCLUSION

In response to the Company's Compliance filing in Docket No. 14-035-114 proposing tariff sheets for net metering and Transition Customers, Utah Clean Energy recommends the Commission do the following:

1. Include a Special Condition providing for meter aggregation for Transition Customers in Schedule 136 to be effective on November 15, 2017.
2. Investigate the Company's plans for metering, meter reading, and information sharing for Transition Customers to ensure they are just and reasonable.

RESPECTFULLY SUBMITTED this 8th day of November, 2017,

/s/Sophie Hayes
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