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State of Utah
DEPARTMENT OF COMMERCE
Office of Consumer Services

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Director

To: Public Service Commission of Utah

From: Office of Consumer Services
Michele Beck, Director
Cheryl Murray, Utility Analyst

Date: November 13, 2017

Subject: In the Matter of the Investigation of the Costs and Benefits of PacifiCorp's Net Metering Program - Docket No. 14-035-114. Compliance Filing Reply Comments

On October 24, 2017, Rocky Mountain Power (Company) filed with the Public Service Commission of Utah (Commission) tariff sheets in compliance with the Commission's September 29, 2017 Order approving the Settlement Stipulation in this docket. The Company requests an effective date of November 15, 2017. On October 27, 2017 the Commission issued a notice of filing and comment period allowing interested parties to submit comments regarding the Company's Compliance Filing on or before Wednesday, November 8, 2017.

On November 8, 2017 the Commission received comments on the Company's compliance filing from the Office of Consumer Services (Office), the Division of Public Utilities (Division), Utah Clean Energy (UCE), Vivant Solar (Vivint), Utah Solar Energy Association, (USEA) and Utah Citizens Advocating Renewable Energy (UCARE).

Also on November 8, 2017 the Commission issued a notice of Reply Comment Period providing that any interested party may submit reply comments on or before noon on Monday, November 13, 2017. The Office herein avails itself of the opportunity to reply to some of the comments filed by parties on November 8.

Parties' Comments

Division of Public Utilities

The Division recommends that the Commission approve the Company's Compliance Filing and finds that it complies with the Commission's September 29, 2017 order approving the settlement stipulation in this docket. The Division points out that the issue of language related

to the aggregation of meters in the new transition program is outstanding with the Company expected to make a subsequent tariff filing with an effective date of December 1, 2017.¹

The Division also noted that some settlement parties have raised concerns over the 15-minute interval meter costs. However, “the Division does not consider the \$200 meter flat-fee as unreasonable. The interval meters were important settlement terms.” [Division Compliance Filing Comments, November 8, 2017, page 3]

Utah Clean Energy

UCE states that “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.” UCE recommends that before making the tariff sheets effective on November 15, the Commission modify the tariff language to provide for meter aggregation for Transition Customers.

At pages 5 and 6 UCE discusses the cost of the 15-minute meter stating “this incremental meter 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.” UCE goes on at page 9 to identify a concern with the meters, that being, the “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”. UCE recommends that the Commission open an investigation or stakeholder process to investigate and evaluate reasonable and appropriate options for metering Transition Customer and distributing their usage information to them.

Utah Citizens Advocating Renewable Energy

UCARE states it has “several concerns about the metering for transition customers and, ultimately, for all DG customers after the transition”. [UCARE comments page 1] UCARE’s comments consist of questions it sent to Ms. Joelle Steward (Rocky Mountain Power) and the responses received, but it is unclear what changes they are seeking in order to support approval of the tariff pages.

Utah Solar Energy Association and Vivint Solar, Inc.

USEA requests the Commission alter or modify the effectiveness of the tariff sheets. USEA specifically objects to the \$200 Meter Fee asserting that 1) parties were never given an opportunity to examine and discuss this significantly higher cost for meters, 2) when discussing this refundable meter fee the parties had used “approximately \$60” as a reference

¹ The Office of Consumer Services and Utah Clean Energy each provided comments recommending that language related to meter aggregation be included in the November 15 tariff, which could be modified later as appropriate.

point, 3) labor incurred by the Company was agreed to as part of the \$60 administration fee, not as part of the Meter Fee, and 4) the parties settled on the incremental cost of a bi-directional meter not the incremental cost of a profile meter which should be determined in a more formal process.

Vivint goes even further requesting that the Commission reject, **suspend**, alter, or modify the effectiveness of the tariff sheets².

Additional Discussion Regarding the Incremental Meter Fee

The Office has two significant concerns about the manner in which concerns about the incremental meter fee have been raised. First, some parties have come dangerously close and possibly crossed the line of introducing confidential settlement discussions into the public record. The decision to take this path is troubling to the Office and will likely negatively impact some of the relationships of trust built during this process. Second, the Office is baffled by the request to suspend the tariff as many solar industry representatives have expressed extreme concern about the possibility of halting the installation of solar panels and destroying the industry without certainty regarding the net metering program and successor program.

The Office acknowledges that it is clear parties did not leave negotiations with a shared understanding of the costs associated with the incremental meter costs. However, no party provided alternate evidence to suggest that a dollar amount other than \$200 would be a more accurate figure.

In the interest of keeping continuity, the Office recommends that the Commission approve the tariff with the changes that we have recommended with an effective date of November 15, 2017. The Office further recommends that the Commission schedule an additional comment period to address both the incremental cost of meters and the meter data issue raised by Utah Clean Energy. Moving forward in this way allows the transition program to begin uninterrupted but also facilitates a complete review of the relevant issues to allow for revisions if necessary.

Final Comments on Tariff Completeness

The Office asserts that the language of the tariff needs to be understandable and complete. We realize that customers do not usually access tariffs to get information on a Company program, however that does not negate the need for precision in the tariff language.

In the case of Schedule 135 and Schedule 136 a link to those tariffs will be provided on the customer information/education website being created related to customer owned generation issues. Thus, it is expected that these particular tariffs are likely to receive more customer interest than might otherwise be the case. Thus, the Office continues to emphasize the

² "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." Vivint November 8, 2017 Request at page 3.

importance of having all relevant information available to customers, including items such as an estimate of the expiration of the net metering program and meaningful links and definitions for terms such as Electric Service Regulations.

Summary of Office Recommendations

The Office reiterates the recommendations from its November 8, 2017 comments in this docket.

The Office recommends that the Commission approve the tariffs with an effective date of November 15, 2017, conditioned on the Company making the Office's suggested modifications to the tariff sheets in the following areas:

- 135.1 Add description of the expectation of future termination of net metering.
- 135.1 Provide more specific Annualized Billing Period language.
- 136.3 Add language regarding aggregation.
- Incorporate the Office's suggested, minor redline edits.

The Office further recommends that the Commission require the Company to revise the language or provide a link regarding ELECTRIC SERVICE REGULATIONS in a compliance filing to be filed within 30 days of the Commission's Order.

Finally, the Office recommends that the Commission schedule an additional comment period to explicitly address the issues that have been raised related to meters and meter costs associated with the transition program.