

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Investigation of the Costs and Benefits of
PacifiCorp's Net Metering Program

DOCKET NO. 14-035-114

ORDER APPROVING PROPOSED TARIFF
SHEETS AND ALLOWING ADDITIONAL
COMMENT PERIOD ON LIMITED ISSUES

ISSUED: November 14, 2017

On October 24, 2017, PacifiCorp dba Rocky Mountain Power ("RMP") filed proposed tariff sheets ("Tariff Sheets") to comply with the Public Service Commission's ("PSC") Order Approving Settlement Stipulation ("Settlement Order"), issued on September 29, 2017. The PSC issued a Notice of Filing and Comment Period on October 27, 2017, inviting comments on the Tariff Sheets. Subsequently, the PSC received comments and/or reply comments from the following parties: the Office of Consumer Services ("OCS"), the Division of Public Utilities ("DPU"), Vivint Solar, Inc., Utah Clean Energy, Utah Solar Energy Association, UCARE and Vote Solar.

We note at the outset that, to effectuate the parties' settlement and Settlement Order, it is essential tariff sheets are in place by November 15, 2017. The circumstances are exigent because the settlement establishes a cutoff date of November 15, 2017 for participation in the statutory net metering program and creates a time-limited "transition program" for customers who file interconnection applications after that date. We acknowledge the parties' concerns about using optimal language in the tariff, but we are also cognizant of this time constraint.

With respect to the issue of the \$200 15-minute interval meter cost, we find, on the limited record before us, the fee is just, reasonable and consistent with the terms of the settlement and the Settlement Order. In so finding, we give significant weight to the DPU's representation

that RMP “has provided the parties with a reasonable explanation of the \$200 cost associated with the 15-minute interval meter” and that the DPU “does not consider the \$200 meter flat-fee [to be] unreasonable.” (DPU Comments at 3.) To the extent any party disagrees and believes it is capable of producing evidence to substantiate its position, the party may file a request for agency action to revise the tariff.

On the issue of meter aggregation, we find the settlement and Settlement Order do not address it, and we decline to order RMP to change the tariff to reflect a term not contemplated in the settlement. The parties represent they are working to agree on language that will address this issue. (*See, e.g., id.* at 2.) In the event the parties are unable to agree on such language, a party may file a request for agency action and the PSC will evaluate whether to revise the tariff accordingly.

We are interested to receive additional comments with respect to two issues the OCS raised:

- (1) The OCS’s recommendation to “[a]dd [a] description of the expectation of future termination of net metering”¹ and RMP’s objection that such language is unnecessary; and
- (2) The OCS’s recommendation to more specifically define the term “Annualized Billing Period” as it is used in the Tariff Sheets.

¹ OCS’s Reply Comments at 4.

DOCKET NO. 14-035-114

- 3 -

Any interested party may file additional comments addressing these subjects on or before **December 12, 2017**. Reply comments on these issues may be submitted on or before **December 27, 2017**.

However, as mentioned above, November 15, 2017 is a pivotal date, and we find it is not in the public interest to delay our approval of the Tariff Sheets for additional consideration of these modest revisions. Generally, we find the Tariff Sheets comply with the terms of the settlement and the Settlement Order and that they are just, reasonable and in the public interest. On that basis, we approve them. After the PSC reviews the additional comments on the two issues identified above, we may order revisions to the tariff as appropriate.

DATED at Salt Lake City, Utah, November 14, 2017.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#297880

CERTIFICATE OF SERVICE

I CERTIFY that on November 14, 2017, a true and correct copy of the foregoing was served upon the following as indicated below:

By Electronic-Mail:

Jana L. Saba (jana.saba@pacificorp.com)
Yvonne R. Hogle (yvonne.hogle@pacificorp.com)
Daniel E. Solander (daniel.solander@pacificorp.com)
Rocky Mountain Power

D. Matthew Moscon (dmmoscon@stoel.com)
Attorney for Rocky Mountain Power

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

Bruce M. Plenk (solarlawyeraz@gmail.com)
Thadeus B. Culley (tculley@kfwlaw.com)
Counsel for The Alliance for Solar Choice

Michael D. Rossetti (mike_rossetti@ucare.us.org)

Stanley T. Holmes (stholmes3@xmission.com)

Casey Roberts (casey.roberts@sierraclub.org)
Travis Ritchie (travis.ritchie@sierraclub.org)
Derek Nelson (derek.nelson@sierraclub.org)
Sierra Club

Sophie Hayes (sophie@utahcleanenergy.org)
Sarah Wright (sarah@utahcleanenergy.org)
Kate Bowman (kate@utahcleanenergy.org)
Utah Clean Energy

Tyler Poulson (tyler.poulson@slcgov.com)
Salt Lake City Corporation

Gary A. Dodge (gdodge@hjdllaw.com)
Hatch, James & Dodge

Kevin Higgins (khiggins@energystrat.com)
Neal Townsend (ntownsend@energystrat.com)
Energy Strategies

Chad Hofheins (chad@synergypowerpv.com)
Utah Solar Energy Association

Amanda Smith (asmith@hollandhart.com)
Abigail C. Briggerman (acbriggerman@hollandhart.com)
Holland & Hart, LLP

David L. Thomas (dthomas@summitcounty.org)
Summit County Attorney

Stephen F. Mecham (sfmecham@gmail.com)

Jerold G. Oldroyd (oldroydj@ballardspahr.com)
Theresa A. Foxley (foxleyt@ballardspahr.com)
Ballard Spahr LLP

Peter J. Mattheis (pjm@bbrslaw.com)
Eric J. Lacey (elacey@bbrslaw.com)
Brickfield, Burchette, Ritts & Stone, P.C.

Jeremy R. Cook (jrc@pkhlawyers.com)
Parsons Kinghorn Harris, P.C.

William J. Evans (bevans@parsonsbehle.com)
Vicki M. Baldwin (vbaldwin@parsonsbehle.com)
Parsons Behle & Latimer

Roger Swenson (roger.swenson@prodigy.net)
E-Quant Consulting LLC

David Wooley (dwooley@kfwlaw.com)
Keyes, Fox & Wiedman LLP

Arthur F. Sandack, Esq (asandack@msn.com)
IBEW Local 57

Kurt J. Boehm, Esq. (kboehm@BKLawfirm.com)
Jody Kyler Cohn, Esq. (Jkylercohn@BKLawfirm.com)
Boehm, Kurtz & Lowry

Brian W. Burnett, Esq. (bburnett@kmclaw.com)
Kirton McConkie

Stephen J. Baron (sbaron@jkenn.com)
J. Kennedy & Associates

Sophie Hayes (sophie@utahcleanenergy.org)
Utah Clean Energy

Capt Thomas A. Jernigan (Thomas.Jernigan@us.af.mil)
Mrs. Karen White (Karen.White.13@us.af.mil)
USAF Utility Law Field Support Center

Meshach Y. Rhoades, Esq. (rhoadesm@gtlaw.com)
Greenberg Traurig

Steve W. Chriss (Stephen.Chriss@wal-mart.com)
Wal-Mart Stores, Inc.

Anne Smart (anne@allianceforsolarchoice.com)
The Alliance for Solar Choice

Meshach Y. Rhoades, Esq. (rhoadesm@gtlaw.com)
Greenberg Traurig

Christine Brinker (cbrinker@swenergy.org)
Southwest Energy Efficiency Project

Michael Shea (michael@healutah.org)
HEAL Utah

Jennifer Gardner (jennifer.gardner@westernresources.org)
Nancy Kelly (nkelly@westernresources.org)
Western Resource Advocates

Bruce M. Plenk (solarlawyeraz@gmail.com)
The Energy Freedom Coalition of America

Thadeus B. Culley (tculley@kfwlaw.com)
James M. Van Nostrand (jvannostrand@kfwlaw.com)
Keyes & Fox, LLP

Elias Bishop (elias.bishop@auricsolar.com)
Auric Solar, LLC

Donald H. Hansen (dhansen@slco.org)
Jennifer Bailey (jenbailey@slco.org)
Salt Lake County

Rick Gilliam (rick@votesolar.org)
Vote Solar

Thomas A. Daley (tdaley@parkcity.org)
Luke Cartin (luke.cartin@parkcity.org)
Park City Municipal Corporation

Nathan K. Fisher (nathanf@fisherhunterlaw.com)
Fisher & Hunter, LLC

Dale Crawford (dale@imwindandsolar.com)
Doug Shipley (doug@imwindandsolar.com)
Mark Allred (mark@imwindandsolar.com)
Mark Richards (markrichards@imwindandsolar.com)
Doug Vause (dougvause@imwindandsolar.com)
Intermountain Wind and Solar, LLC

Daniel Mach (danielmach@quinnemanuel.com)
Jennifer Selendy (jenniferselendy@quinnemanuel.com)
Quinn Emanuel Urquhart & Sullivan, LLP

Patricia Schmid (pschmid@agutah.gov)
Justin Jetter (jjetter@agutah.gov)
Robert Moore (rmoore@agutah.gov)
Steven Snarr (stevensnarr@agutah.gov)
Assistant Utah Attorneys General

Erika Tedder (etedder@utah.gov)
Division of Public Utilities

DOCKET NO. 14-035-114

- 8 -

By Hand-Delivery:

Office of Consumer Services
160 East 300 South, 2nd Floor
Salt Lake City, UT 84111

Administrative Assistant