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Division of Public Utilities

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Action Request Response

To: Public Service Commission of Utah

From: Division of Public Utilities
Chris Parker, Director
Energy Section
Artie Powell, Manager
Bob Davis, Utility Analyst

Date: April 23, 2018

Re: Compliance Filing.
Docket No. 14-035-114 – Investigation of the Costs and Benefits of PacifiCorp’s Net Metering Program.

RECOMMENDATION (APPROVAL)

The Division of Public Utilities (Division) has reviewed PacifiCorp’s dba Rocky Mountain Power (RMP) Compliance Tariff Filing (Filing), Schedule No. 135, for the Net Metering Program. The Division concludes the changes comply with the Public Service Commission’s (Commission) order and recommends the Commission approve the tariff.

ISSUE

On April 3, 2018, RMP filed with the Commission its Third Revision to Sheet No. 135.1, Net Metering Service, pursuant to the Commission’s February 7, 2018 letter instructing RMP to include language in the tariff that defines the termination date of the Net Metering Program. On the same day, the Commission issued an action request to the Division to review for compliance and make recommendations. RMP requests an effective date of May 2, 2018 for the changes.

DISCUSSION

At the conclusion of the Net Metering docket, the Office of Consumer Services (OCS) requested the Commission direct RMP to add clarifying language to Sheet No. 135. The Commission issued a comment period on November 14, 2017 so interested parties could comment on two issues: (1) adding a description of the expectations of future termination of net metering to Schedule No. 135, and (2) to more specifically define the term “Annualized Billing Period” as it is used in Schedule No. 135. The Division did not oppose either of the changes. RMP did not oppose item (2) and revised its Schedule No. 135 on December 21, 2018 in Docket No. 17-035-T15. The Commission approved that tariff on January 17, 2018.

Regarding item (1), RMP claimed that it was not necessary to include termination language in the tariff as the tariff references the settlement stipulation, which contains language explaining the termination date.¹ RMP agreed that communication about the termination date with customers was important. RMP has included the termination date in its communication plan for the net metering program and has posted the termination date on its website. The OCS continued to recommend that the termination language be added to the tariff. After reviewing the comments filed by the OCS and RMP on December 12, 2017, the Commission issued its conclusions on February 7, 2018.

In that letter, the Commission offered its support for the OCS's request for clarity and transparency of the termination date for net metering in Schedule 135. The Commission also considered RMP's conclusion that changing the language was not necessary as it was up to the Legislature to change the statute. The Commission concluded that if the 2018 Utah Legislature approved the repeal of Title 54, Chapter 15, Net Metering of Electricity, in Senate Bill 141, then RMP should revise its Schedule No. 135 to either reflect the net metering repeal date or the termination date identified in the Settlement Stipulation. The Legislature passed legislation prospectively repealing the chapter.

RMP has included the termination date identified in the Settlement Stipulation as “Service under this Schedule will terminate on December 31, 2035” which is consistent with the legislation.

¹ See <https://pscdocs.utah.gov/electric/14docs/14035114/296270RMPSettleStip8-28-2017.pdf>, at ¶ 35.

CONCLUSION

Based on its review, the Division recommends that the Commission approve RMP's tariff filing with the changes recommended by the OCS and implemented by RMP. The filing, as modified, complies with the Commission's instruction contained in its February 7, 2018 letter to RMP.

CC Joelle Steward, RMP
Jana Saba, RMP
Michele Beck, OCS