

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Review of Electric)
Service Schedule No. 38, Qualifying Facilities) DOCKET NO. 14-035-140
Procedures, and Other Related Procedural) SCHEDULING ORDER AND NOTICES
Issues) OF TECHNICAL CONFERENCE AND
) HEARING
)

ISSUED: January 23, 2015

BACKGROUND AND PROCEDURAL HISTORY

On August 22, 2014, PacifiCorp, dba Rocky Mountain Power (“PacifiCorp”) filed its quarterly compliance filing for avoided cost input changes for the second quarter of 2014 (“Avoided Cost Input Changes Report”) in Docket No. 14-035-40.¹ The Avoided Cost Input Changes Report incorporates changes since PacifiCorp’s Quarterly Compliance Filing for the first quarter of 2014, dated April 8, 2014, including updates made to the models used in the Proxy and Partial Displacement Differential Revenue Requirement (“PDDRR”) avoided cost methodologies.

On September 22, 2014, the Division of Public Utilities (“Division”), the Office of Consumer Services (“Office”), Utah Clean Energy (“UCE”), and SunEdison, LLC (“SunEdison”) filed initial comments on the Avoided Cost Input Changes Report. The majority of those parties requested the Public Service Commission of Utah (“Commission”) hold a scheduling conference to discuss a process and schedule for that docket going forward.

On October 6, 2014, the Commission convened a scheduling conference (“October Scheduling Conference”). At the conference PacifiCorp indicated it would be filing its

¹ Docket No. 14-035-40, *In the Matter of Rocky Mountain Power’s 2014 Avoided Cost Input Changes Quarterly Compliance Filing*.

DOCKET NO. 14-035-140

- 2 -

capacity contribution study for wind and solar resources (“Study”) in the near future in compliance with the Commission’s August 16, 2013, Order on Phase II Issues in Docket No. 12-035-100.² PacifiCorp filed the Study on October 9, 2014. Parties at the October Scheduling Conference raised various issues regarding Schedule 38 – Qualifying Facility Procedures (“Schedule 38”) and the Avoided Cost Input Changes Report and agreed these issues and the review of PacifiCorp’s Study should be combined into a new docket for comprehensive consideration of issues related to Schedule 38. The parties at the October Scheduling Conference agreed to file comments by October 31, 2014, listing the issues that should be addressed in the new docket. The Division agreed to file a memorandum requesting the Commission open a new docket.

On October 14, 2014, the Division filed a memorandum (“October Memorandum”) recommending the Commission open a new docket to combine review of the Study in Docket No. 12-035-100 with the issues raised by parties regarding Schedule 38 and the Avoided Cost Input Changes Report filed in Docket No. 14-035-40. In response to the October Memorandum, the Commission issued a notice on October 27, 2014, of a status and scheduling conference to be held November 6, 2014, in the newly opened Docket No. 14-035-140 (“November Scheduling Conference”).

Based on the discussion of the parties at the November Scheduling Conference, the Commission issued a scheduling order and notices of technical conferences and status and

² Docket No. 12-035-100, *In the Matter of the Application of Rocky Mountain Power for Approval of Changes to Renewable Avoided Cost Methodology for Qualifying Facilities Projects Larger than Three Megawatts*.

DOCKET NO. 14-035-140

- 3 -

scheduling conference (“November Scheduling Order”) providing for a series of technical conferences and a status and scheduling conference to be held January 21, 2015.

On January 9, 2015, PacifiCorp filed a Motion for Expedited Approval of Capacity Contribution Study and CF Method Values (“Motion for Expedited Approval”) in Docket Nos. 14-035-140 and 12-035-100. On January 12, 2015, the Commission issued a First Order Amending Scheduling Order in this docket, informing parties they should come to the January 21, 2015, status and scheduling conference prepared to discuss the appropriate process to address PacifiCorp’s Motion for Expedited Approval.

On January 21, 2015, the Commission held a status and scheduling conference to address PacifiCorp’s Motion for Expedited Approval and the schedule for this docket going forward. Counsel for the Division, the Office, PacifiCorp, Scatec North America, SunEdison and UCE were in attendance at the status and scheduling conference. In resolution of PacifiCorp’s Motion for Expedited Approval, all parties at the status and scheduling conference agreed to the following expedited schedule for final resolution of all issues raised in PacifiCorp’s Motion for Expedited Approval and all other issues to be addressed in this docket:

SCHEDULE

ITEM	DEADLINE/DATE/TIME/LOCATION
Direct Testimony Responding to PacifiCorp’s Study and Avoided Cost Input Changes Report and/or Alternative Proposals for Schedule 38 Changes	Tuesday, April 28, 2015
Technical Conference (Alternative Proposals)	Wednesday, May 6, 2015, from 9:30 a.m. to 12:00 p.m. (MDT), Fourth Floor Room 401, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah

Rebuttal Testimony	Thursday, May 28, 2015
Surrebuttal Testimony	Thursday, June 11, 2015
Hearing	Thursday and Friday, June 18-19, 2015, beginning at 9:00 a.m. (MDT) each day of the hearing, Fourth Floor Hearing Room 403, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah

DISCOVERY

Discovery turn around times are as follows: 14 calendar days until April 28, 2015; ten calendar days between April 29, 2015, and May 28, 2015; and five calendar days or best efforts thereafter. Parties shall serve discovery requests and responses on applicable parties by electronic mail. In the event a document filed with the Commission or produced in response to a discovery request cannot reasonably be transmitted by electronic mail, the party filing the document shall file an electronic copy of the document on CD (or, if an electronic copy is not available, a paper copy) with the Commission by hand delivery and shall serve an electronic copy of the document on CD (or, if an electronic copy is not available, a paper copy) on each applicable party by hand delivery if the party being served is in the same metropolitan area as the serving party, or by overnight courier if the party being served is located in a different metropolitan area from the serving party.

NOTICE OF TECHNICAL CONFERENCE

A technical conference will be held on **Wednesday, May 6, 2015, from 9:30 a.m. to 12:00 p.m. (MDT), Fourth Floor Room 401, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah.** The purpose of the technical conference is to allow parties to

present alternate proposals for Schedule 38 changes. We request the Division to conduct the technical conference.

Individuals wishing to participate in the technical conference by telephone should contact the Public Service Commission two days in advance by calling (801) 530-6716 or (toll-free) 1-866-PSC-UTAH (1-866-772-8824). Participants attending by telephone should then call the Public Service Commission at the same number listed above five minutes prior to the technical conference to ensure participation.

In accordance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during a technical conference should notify the Commission at 160 East 300 South, Salt Lake City, Utah 84111, (801) 530-6716, at least three working days prior to the technical conference.

NOTICE OF HEARING

A hearing in this docket will be conducted by the Commission on **Thursday and Friday, June 18-19, 2015, beginning at 9:00 a.m. (MDT) each day of the hearing, Fourth Floor Hearing Room 403, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah.** All parties must have their witnesses in attendance and prepared to testify.

Individuals wishing to participate in the hearing by telephone should contact the Public Service Commission two days in advance by calling (801) 530-6716 or (toll-free) 1-866-PSC-UTAH (1-866-772-8824). Participants attending by telephone should then call the Public Service Commission at the same number listed above five minutes prior to the hearing to ensure participation.

DOCKET NO. 14-035-140

- 6 -

In accordance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the hearing should notify the Commission at 160 East 300 South, Salt Lake City, Utah 84111, (801) 530-6716, at least three working days prior to the hearing.

DATED at Salt Lake City, Utah, this 23rd day of January, 2015.

/s/ Jordan A. White
Presiding Officer

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DW#263205

CERTIFICATE OF SERVICE

I CERTIFY that on the 23rd day of January, 2015, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Electronic-Mail:

Robert C. Lively (bob.lively@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)
Brian Dickman (brian.dickman@pacificorp.com)
PacifiCorp

Jerold G. Oldroyd (oldroydj@ballardspahr.com)
Sharon M. Bertelsen (bertelsens@ballardspahr.com)
Ballard Spahr LLP

Luigi Resta (luigi.resta@scatecsolar.us)
Scatec Solar North America, Inc.

Ros Rocco Vrba, MBA (rosvrba@energyofutah.onmicrosoft.com)
Energy of Utah LLC

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

Robert Millsap (bobmillsap@renewable-energy-advisors.com)
Renewable Energy Advisors

Christine Mikell (christine@wasatchwind.com)
Wasatch Wind

Michael D. Cutbirth (mcutbirth@champlinwind.com)
Blue Mountain Power Partners, LLC

Maura Yates (myates@sunedison.com)
Sun Edison, LLC

Steven S. Michel (smichel@westernresource.org)
Nancy Kelly (nkelly@westernresource.org)
Charles R. Dubuc (rdubuc@westernresource.org)
Cynthia Schut (cindy.schut@westernresource.org)
Western Resource Advocates

Ellis-Hall Consultants, LLC (mail@ehc-usa.com)

Mike Ostermiller (mike@nwaor.org)
Chris Kyler (chris@kkoslawyers.com)
Kyler, Kohler, Ostermiller & Sorenson

Lisa Thormoen Hickey (lisahickey@coloradolawyers.net)
Alpern Myers Stuart LLC

Chris Shears (cshears@everpower.com)
EverPower Wind Holding Company

Peter J. Richardson (peter@richardsonandoleary.com)
Richardson & O'Leary, PLLC

Jeffrey Barrett (jhbarrett@utah.gov)
Utah Office of Energy Development

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

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

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

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

Travis Ritchie (travis.ritchie@sierraclub.org)
Gloria D. Smith (gloria.smith@sierraclub.org)
Sierra Club

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. (brianburnett@cnmlaw.com)
Callister Nebeker & McCullough

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

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

Michael D. Rossetti (solar@trymike.com)

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

DOCKET NO. 14-035-140

- 10 -

Patricia Schmid (pschmid@utah.gov)

Justin Jetter (jjetter@utah.gov)

Rex Olsen (rolsen@utah.gov)

Assistant Utah Attorneys General

By Hand-Delivery:

Division of Public Utilities
160 East 300 South, 4th Floor
Salt Lake City, UT 84111

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

Administrative Assistant