

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of Rocky Mountain  
Power's Proposed Revisions to Docket No. 15-035-T01  
Street Lighting Schedules and  
New Light Emitting Diode (LED)  
Street Lighting Service

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HEARING PROCEEDINGS  
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TAKEN AT: Public Service Commission  
Hearing Room 403  
Salt Lake City, Utah

DATE: Wednesday, March 18, 2015

TIME: 1.32 p.m.

REPORTER: Nancy A. Fullmer, RMR

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APPEARANCES

Hearing Officer: Jordan A. White  
For the Division of Public Utilities:  
Justin C. Jetter  
Assistant Attorney General  
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For Rocky Mountain Power:  
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PROCEEDINGS

THE HEARING OFFICER: Good afternoon. This is the time and place noticed for Commission consideration of the Rocky Mountain Power's proposed revision to Electric Service Schedule Nos. 11-Street Lighting Company-Owned, and No. 12-Street Lighting Customer-Owned in Docket No. 15-035-T01. My name is Jordan White and I'll be acting as presiding officer for this hearing. Let's go ahead and take appearances. I'll start over here with the Division.

MR. JETTER: Thank you. This is Justin Jetter with the Utah Attorney General's Office representing Utah Division of Public Utilities. And with me at counsel table is Robert A. Davis with the Division of Public Utilities.

THE HEARING OFFICER: Thank you.

MS. MCKAY: Megan McKay with Rocky Mountain Power/PacifiCorp. And with me is Bob Lively, PacifiCorp.

THE HEARING OFFICER: Thank you. Okay. Before we go ahead and proceed, are there any matters of housekeeping we need to address?

MR. JETTER: None from the Division.

THE HEARING OFFICER: Okay. With that,

1 Ms. McKay, since this is Rocky Mountain Power's  
2 application, I'll go ahead and let you proceed.

3 MS. MCKAY: May I call my witness?

4 THE HEARING OFFICER: Should we go ahead  
5 and swear him in then?

6 MS. MCKAY: Sure.

7 THE HEARING OFFICER: Go ahead and raise  
8 your right hand. Do you solemnly swear that the  
9 testimony you're about to give is the whole truth  
10 and nothing but the truth?

11 MR. LIVELY: Yes.

12 ROBERT LIVELY,  
13 having been first duly sworn, was  
14 examined and testified as follows:

15 MS. MCKAY: Does he go up there or--

16 THE HEARING OFFICER: You can go ahead  
17 and sit at counsel table. That's fine.

18 EXAMINATION

19 BY-MS.MCKAY:

20 Q. Okay. Please state your name and  
21 business address for the record.

22 A. My name is Robert C. Lively. My business  
23 address is 201 South Main Street, Salt Lake City,  
24 Utah. Zip code 84111.

25 Q. By whom are you employed and in what

1 capacity?

2 A. I'm employed by Rocky Mountain Power. My  
3 capacity is manager, regulatory affairs for Utah.

4 Q. As part of your duties in this position,  
5 did you help with the filing before the Commission  
6 for approval today?

7 A. I did.

8 Q. And have you prepared a summary of the  
9 changes that are contained in the tariff?

10 A. I have.

11 Q. Please proceed.

12 A. Our proposed changes have three  
13 objectives. Number one, remove service options in  
14 the current tariff that are no longer utilized.  
15 Number two, add certain service options. And,  
16 number three, clarify Schedule 12, service  
17 provisions. We proposed revisions to rate  
18 Schedule 11 to add LED lighting as a new street  
19 lighting offering for customers. This will not  
20 replace any lighting options that are currently  
21 utilized by customers, but is an additional street  
22 lighting offering.

23 We are also proposing housekeeping  
24 revisions to rate Schedule 11 to remove certain  
25 lighting options that are not currently utilized

1 by customers. These options are for lighting  
2 technology that is obsolete and is no longer  
3 requested by customers. Because this lighting  
4 technology has been obsolete for years, we have no  
5 customers being actively billed for these lighting  
6 options.

7 For rate Schedule 12, we proposed  
8 housekeeping revisions to remove Company  
9 maintenance options under which no customers are  
10 being billed. We have not had requests for these  
11 maintenance options because the related lighting  
12 technologies or options, for the most part, are  
13 obsolete. With regard to the service provisions  
14 for rate Schedule 12, we have proposed removing  
15 language from service provisions one and two to  
16 clarify that the Company does not offer new  
17 maintenance service for consumer-owned lighting.

18 And, finally, we proposed added language  
19 to service provision three of Schedule 12,  
20 clarifying that electrical connections of  
21 consumer-owned lighting to the Company system will  
22 be performed only by Company personnel or Company  
23 contractors.

24 Q. Is it your opinion that the changes are  
25 just and reasonable and in the public interest?

1           A. Yes. These changes update Schedule  
2 12--Schedule 11 and Schedule 12 to reflect the  
3 market and customer demand for current street  
4 lighting technology.

5           MS. MCKAY: The witness is available for  
6 questions.

7           THE HEARING OFFICER: Okay, thanks.  
8 Before I turn over to--well, let me just ask.  
9 Does the Division have any cross for--

10          MR. JETTER: No. I don't have any  
11 questions.

12          THE HEARING OFFICER: Just as a matter of  
13 housekeeping, the Company filed the proposed  
14 tariff revisions on March 4th. Did you want to go  
15 ahead and request to move those into testimony?

16          MS. MCKAY: Yes.

17          THE HEARING OFFICER: Okay. Any  
18 objections to that?

19          MR. JETTER: No objections.

20          THE HEARING OFFICER: Okay. Then that is  
21 received. Thank you. With no questions, we'll go  
22 ahead and turn over to Mr. Jetter.

23          MR. JETTER: Thank you. The Division  
24 would like to call Robert A. Davis.

25          THE HEARING OFFICER: Do you want to go

1 ahead and raise your right hand? Do you solemnly  
2 swear that the testimony you're about to give is  
3 the whole truth and nothing but the truth?

4 MR. DAVIS: Yes.

5 THE HEARING OFFICER: Thank you.

6 ROBERT A. DAVIS,  
7 having been first duly sworn, was  
8 examined and testified as follows:

9 EXAMINATION

10 BY-MR.JETTER:

11 Q. Mr. Davis, would you please state your  
12 name and occupation for the record.

13 A. My name is Robert A. Davis. I work for  
14 the Division of Public Utilities, a utility  
15 analyst.

16 Q. And would you also please state your  
17 office address?

18 A. My address is 160 East 300 South, Salt  
19 Lake City, Utah 84111.

20 Q. Thank you. And have you prepared a brief  
21 summary of the Division to read into the record?

22 A. Yes, I have.

23 Q. Please go ahead.

24 A. On February 17, 2015, the Utah Public  
25 Service Commission issued an action request to the



1 Division of Public Utilities requesting an  
2 investigation of Rocky Mountain Power's filing and  
3 to provide analysis, evaluation of results, and  
4 conclusions as a basis for recommendations  
5 regarding RMP's, Rocky Mountain Power's, proposed  
6 revisions to Electric Service Schedules 11 and 12.

7 Advice No. 15-01 proposes revisions to  
8 Electric Service Schedules No. 11 and No. 12,  
9 Street Lighting Company-Owned and Street Lighting  
10 Customer-Owned, respectively, for changes to  
11 discontinued lamps and services. In addition,  
12 Rocky Mountain Power is now offering four LED lamp  
13 alternatives for the 100, 150, 250, and 400 watt  
14 High Pressure Sodium Vapor lamps for those  
15 customers who want to use less energy at a lower  
16 monthly price.

17 In reviewing this advice, the Division  
18 has no concerns of consequence with this filing  
19 other than those that follow. First, the filing  
20 appears--the filing appears to be complete other  
21 than 746-405-2-(D)(3)(G), statement that the  
22 tariff sheets proposed do not constitute a  
23 violation of state law or Commission rule.

24 However, the rule also states that the filing of  
25 proposed tariff sheets shall of itself constitute

1 the representation of the filing utility that it,  
2 in good faith, believes the proposed sheets or  
3 revised sheets to be consistent with applicable  
4 statutes, rules, and orders. The Division assumes  
5 that this filing does not violate statute or rule  
6 and has found no indication to the contrary.

7 Second, the Division reviewed the listed  
8 discontinued lamps for Schedules 11 and 12 in  
9 comparison to the last general rate case Docket  
10 No. 13-035-184, "Exhibit C Rate Design-Step 1,"  
11 filed June 25, 2014. Upon initial review, the  
12 Division found that there were still some  
13 customers using discontinued lamps. However,  
14 subsequent information from the Company requested  
15 by the Division, shows the discontinued lamps as  
16 having no current customers as of February 2015.

17 Third, the Division requested analysis  
18 from Rocky Mountain Power regarding the  
19 lumen/wattage equivalency of the LED versus High  
20 Pressure Sodium Vapor alternative lamps being  
21 offered. After speaking with Company personnel,  
22 the Division is convinced that Rocky Mountain  
23 Power has the customer's best interest in mind by  
24 offering the LED lamps at their present lumen and  
25 wattage ratings as an alternative for the High

1 Pressure Sodium 100 watt, 150 watt, 250 watt, and  
2 400 watt lamps. The LED lamp alternatives offer  
3 customers the opportunity to save energy and money  
4 while keeping the same or better lumen equivalency  
5 to the High Pressure Sodium Vapor lamps.

6 Fourth, the Division requested and  
7 received additional information from Rocky  
8 Mountain Power for its analysis regarding the flat  
9 monthly pricing for the LED alternatives. The  
10 numbers used for the LED pricing can be traced to  
11 the schedules associated with Rocky Mountain  
12 Power's last general rate case. Rocky Mountain  
13 Power used revenue requirement numbers based on  
14 actual rate of return versus the authorized rate  
15 of return from the rate case. This leads to some  
16 variance in the numbers when comparing between the  
17 rate case exhibit and the exhibit provided for  
18 this docket's analysis. Based on the supplemental  
19 analysis, the pricing seems to be reasonable.

20 The Division has reviewed Rocky Mountain  
21 Power's Advice No. 15-01 Tariff PSCU No. 50 of  
22 PacifiCorp, doing business as Rocky Mountain Power  
23 electric service in the State of Utah, proposing  
24 revisions to Electric Service Schedules No. 11 and  
25 No. 12, Street Lighting Company-Owned and Street

1 Lighting Customer-Owned, respectively, and finds  
2 that it meets the Commission's reporting  
3 requirements other than that pointed out above.

4 After analysis, the Division finds no  
5 issues of concern with the revisions to tariff  
6 Schedules No. 11 and No. 12, Street Lighting  
7 Company-Owned System and Street Lighting  
8 Customer-Owned System, respectively. In addition,  
9 the Division finds no issues with the new LED  
10 street lighting alternatives available to High  
11 Pressure Sodium Vapor customers and, therefore,  
12 recommends approval of the filed revised tariff  
13 sheets, Schedule No. 11 and Schedule No. 12.

14 Q. Thank you. And does that conclude your  
15 summary?

16 A. Yes, it does.

17 Q. I just have a couple other questions for  
18 you. In the review of this docket, I believe you  
19 stated that in your summary, but just to clarify  
20 for the record, did you review the Company's  
21 application and all of its attached exhibits?

22 A. I did.

23 Q. And did you prepare and cause to be filed  
24 a memo from the Division of Public Utilities  
25 labeled as an action request response dated

1 March 4, 2015?

2 A. Yes.

3 Q. And does that accurately represent the  
4 Division's position at this time?

5 A. It does.

6 MR. JETTER: At this time I just move to  
7 enter that into the record of this hearing, the  
8 Division's action request response of March 4,  
9 2015.

10 THE HEARING OFFICER: Any objection,  
11 Ms. McKay?

12 MS. MCKAY: No.

13 THE HEARING OFFICER: It's received.

14 MR. JETTER: Thank you.

15 BY MR. JETTER:

16 Q. All right. And, with that, do you  
17 believe that approval of the application by the  
18 Commission is just, reasonable, and in the public  
19 interest?

20 A. Yes.

21 Q. And, finally, are you aware of any  
22 objection from any party that has been received by  
23 the Division or aware of any objection from any  
24 other means?

25 A. I am not.

1 MR. JETTER: Thank you. With that, I  
2 have no further questions and Mr. Davis is  
3 available for cross.

4 THE HEARING OFFICER: Thank you,  
5 Mr. Davis.

6 Is there any questions for--

7 MS. MCKAY: No.

8 THE HEARING OFFICER: Thank you. A  
9 couple matters of housekeeping. First of all, I  
10 just want to recognize that earlier I referred to  
11 Rocky Mountain Power's submission as being  
12 March 4th. It was actually February 16, 2015, so  
13 I apologize. With that, that is received.

14 And in furtherance of that, a question  
15 for the Division. You know, typically, you know,  
16 at times we will actually have the Company refile  
17 post hearing. Have you actually had a chance to  
18 review these tariff sheets and do you have a  
19 recommendation of whether we should approve the  
20 tariff sheets as filed?

21 MR. DAVIS: I think they're okay to be  
22 approved as filed.

23 THE HEARING OFFICER: Okay. And then I  
24 have a question for Ms. McKay. Recognizing this  
25 is the requested approved effective date would be

1 today, March 18th, were you hoping to have a bench  
2 ruling today regarding this request?

3 MS. MCKAY: Yes. That would be great.

4 THE HEARING OFFICER: Okay, perfect.

5 Is there any other matters we need to  
6 address before I adjourn for a brief recess?

7 MR. JETTER: No. Other than the Division  
8 would also support an effective date as of today  
9 or whenever it's appropriate.

10 THE HEARING OFFICER: Okay. Thank you.  
11 Why don't we go ahead and go off the record, take  
12 a brief recess. Thanks.

13 (Recess taken.)

14 THE HEARING OFFICER: Thank you for  
15 everyone's participation today. Having considered  
16 PacifiCorp's proposed revisions to Schedule Nos.  
17 111 and 112, the comments filed in this docket,  
18 the testimony presented today, and the fact that  
19 PacifiCorp's proposed request is opposed, the  
20 Commission finds that approval of the proposed  
21 revisions to Schedule Nos. 111 and 112 as filed  
22 with the Commission on  
23 February 27th--sorry--February 16, 2015, are just,  
24 reasonable, and in the public interest and  
25 concludes that such approval is consistent with

1 relevant statutes, rules, and Commission orders  
2 and, therefore, the Commission approves  
3 PacifiCorp's proposed revisions to the  
4 aforementioned schedules with an effective date of  
5 March 18, 2015.

6 This bench order has been approved and  
7 confirmed by the Commission and a written  
8 memorialization of this decision will be filed.  
9 And referring back to the recommendations of the  
10 Division, the tariff sheets are also approved as  
11 filed.

12 Before we adjourn today, are there any  
13 other matters that need to be addressed before the  
14 Commission?

15 MR. JETTER: No, Your Honor.

16 THE HEARING OFFICER: Okay. Thank you  
17 very much. We're adjourned.

18 (Hearing concluded at 1:48 p.m.)  
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CERTIFICATE

This is to certify that the foregoing proceedings were taken before me, NANCY A. FULLMER, a Registered Merit Reporter and Notary Public in and for the State of Utah;

That the proceeding was reported by me in stenotype and thereafter caused by me to be transcribed into typewriting, and that a full, true, and correct transcription of said testimony so taken and transcribed is set forth in the foregoing pages;

I further certify that I am not of kin or otherwise associated with any of the parties to said cause of action, and that I am not interested in the event thereof.



*Nancy A. Fullmer*  
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Nancy Fullmer, RMR