

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of Rocky)
Mountain Power's Proposed) Docket No.
Revisions to Electric)
Service Schedule No. 193) 15-035-T15
Demand Side Management)
(DSM) Cost Adjustment)
)

December 17, 2015
9:00 a.m.

Hearing Officer: Melanie Reif

Location: Heber M. Wells Building
160 East 300 South, Room 403
Salt Lake City, Utah
Job No. 280758

Reporter: Melinda J. Andersen
Certified Shorthand Reporter and Notary Public

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A P P E A R A N C E S

Utah Office of Consumer Services:	Robert J. Moore Assistant Attorney General 160 East 300 South Second Floor Salt Lake City, UT 84111
Utah Division of Public Utilities:	Patricia E. Schmid Assistant Attorney General 160 East 300 South Fourth Floor Salt Lake City, UT 84111
Rocky Mountain Power:	Daniel E. Solander 201 South Main Street Suite 2300 Salt Lake City, UT 84111
Utah Clean Energy:	Sophie Hayes 1014 2nd Avenue Salt Lake City, UT 84103
Utah Association of Energy Users:	Gary A. Dodge HATCH, JAMES & DODGE 10 West Broadway Suite 400 Salt Lake City, UT 84101

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1 P R O C E E D I N G S

2 HEARING OFFICER: Good morning. I am Melanie
3 Reif. I am the hearing officer for this hearing today in
4 Docket 15-035-T15. This matter is entitled Rocky Mountain
5 Power's Proposed Revisions to Electric Service Schedule
6 193, Demand Side Management (DSM) Cost Adjustment. Let's
7 start by taking appearances, starting with the Company
8 please.

9 MR. SOLANDER: Good Morning, Ms. Reif. Daniel
10 Solander appearing on behalf of Rocky Mountain Power. I
11 have with me at counsel table Esther Giezendanner, DSM
12 Manager, who will be the Company's witness in this matter.

13 HEARING OFFICER: Thank you.

14 MS. SCHMID: Good Morning. Patricia E. Schmid
15 with the Attorney General's Office for the Division. With
16 me is the Division's witness Brenda Salter.

17 HEARING OFFICER: Thank you.

18 MR. MOORE: Robert Moore for the Office of
19 Consumer Services. With me at counsel table is Gavin
20 Mangelson, Utility Analyst for the Office.

21 HEARING OFFICER: Thank you.

22 MS. HAYES: Good Morning. Sophie Hayes on
23 behalf of Utah Clean Energy and the Southwest Energy
24 Efficiency Project. With me this morning is Kevin Emerson,
25 Senior Policy and Regulatory Associate for Utah Clean

1 Energy.

2 HEARING OFFICER: Thank you.

3 MR. DODGE: Good morning, Your Honor. Gary
4 Dodge on behalf of the Utah Association of Energy Users.
5 With me at the table is Kelly Francone, Executive Director
6 of UAE.

7 HEARING OFFICER: Thank you. Welcome again
8 everyone. There are a couple procedural issues I want to
9 address before we address the application pending before
10 the Commission. The first issue I want to address is to
11 you, Ms. Hayes, I don't see that UCE has requested to
12 intervene. Is that a mistake on my part?

13 MS. HAYES: That may not be a mistake. Perhaps
14 we missed that on the schedule order. So we can file a
15 petition to intervene. We're happy to file a late petition
16 to intervene if no parties object to that.

17 HEARING OFFICER: Shall I take it then that you
18 are making a verbal request to intervene at this time?

19 MS. HAYES: Yes.

20 HEARING OFFICER: Is there any objection to UCE
21 participating as an intervener in this matter? Hearing no
22 objection the Commission grants your request.

23 MS. HAYES: Thank you.

24 HEARING OFFICER: The other issue I wanted to
25 address is the pending request from UAE to intervene.

1 Mr. Dodge, we have received your request. It was received
2 on the 15th of December. We normally have a 15 day
3 turnaround just for reference for future matters. Is there
4 any objection to the request that is pending before this
5 Commission? Hearing none we will grant your request and so
6 we will proceed accordingly.

7 Mr. Solander, this is your application and you
8 have the floor.

9 MR. SOLANDER: Thank you. Rocky Mountain Power
10 we call Esther Giezendanner in support of the Company's
11 request to adjust demand side management surcharge.

12 HEARING OFFICER: Could you tell me your last
13 name again?

14 THE WITNESS: Giezendanner.

15 HEARING OFFICER: Very nice to meet you. Would
16 you kindly come up to the witness stand and I will swear
17 you in?

18 (The witness is sworn in.)

19 DIRECT EXAMINATION

20 BY MR. SOLANDER:

21 Q. Good morning.

22 A. Good morning.

23 Q. Could you please state and spell your name for
24 the record?

25 A. Yes, Esther Giezendanner. My last name is

1 spelled G-I-E-Z-E-N-D-A-N-N-E-R.

2 **Q. By whom are you employed and in what capacity?**

3 A. Rocky Mountain Power and I am the manager of
4 the Demand Side Management Group.

5 **Q. As the manager of the Demand Side Management**
6 **Group were you involved in the preparation of the advice**
7 **filing that precipitated this proceeding requesting the**
8 **Demand Side Management surcharge increase?**

9 A. Yes.

10 **Q. Have you prepared a short summary statement**
11 **regarding the Company's application?**

12 A. Yes.

13 **Q. Please proceed.**

14 A. Thank you. Good morning, Ms. Reif and other
15 parties. On November 23, 2015 the Company filed advice
16 letter 15-14 proposing a second increase to the schedule
17 193 Demand Side Management surcharge collection rate.

18 The first step adjustment increased the
19 collection rate to 3.62 percent and was approved by the
20 Commission on Docket 14-035-T14, which became effective
21 February 1, 2015. The second step adjustment as proposed
22 would increase the collection rate to 4.0 percent effective
23 January 1, 2016.

24 Based on projected expenditures to the
25 Company's DSM program for 2016, absent an increase to the

1 schedule 193 collection rate, the balance in the deferred
2 account will be approximately \$8.2 million as of December
3 31, 2016.

4 The Company met with DSM Steering Committee on
5 October 23, 2015 to discuss the DSM surcharge. It was
6 acknowledged that adjusting the DSM surcharge to 4.0
7 percent would bring the DSM balance and account to an
8 acceptable level by the end of 2016 based on the current
9 forecast. This decrease was from the original analysis
10 that was showing 4.13 percent.

11 On December 8, 2015 the Division of Public
12 Utilities, Utah Clean Energy and Southwest Energy
13 Efficiency Project filed comments in support of the
14 Company's second step increase to the collection rate.

15 Utah Association of Energy Users filed comments
16 objecting to the second step adjustment until after an
17 investigation has been conducted into the current DSM
18 program. The Office of Consumer Services also filed
19 comments recommending the Commission not approve the second
20 step increase to the collection rate until consideration
21 has been given to issues and concerns raised regarding the
22 DSM program.

23 On December 15, 2015 the Division and Office
24 filed reply comments retaining the same stance as their
25 original comments.

1 On December 15, 2015 the Company also filed
2 reply comments outlining the history of the two step
3 increase to the collection rate, the current process and
4 requirements for the DSM program, and the collaboration
5 that exists with the DSM Steering Committee.

6 In light of the history outlined in the
7 Company's reply comments and the actions taken and agreed
8 to by the DSM Steering Committee, the Company respectfully
9 requests the Commission evaluate UAE's investigation
10 request separate from the Company's advice letter 15-14,
11 and approve the second step DSM surcharge increase to 4.0
12 percent effective January 1, 2016.

13 Furthermore, the Company believes that items
14 identified by UAE and supported by the Office for
15 investigation lacks specific information and purpose. The
16 Company requests the Commission either deny the
17 investigation request or require parties to provide support
18 and elaborate on their specific issues and objectives prior
19 to opening any investigation of DSM and allow the Company
20 to comment prior to making a final decision.

21 **Q. Does that conclude your summary?**

22 A. Yes.

23 **Q. Is your opinion that the DSM surcharge**
24 **adjustment would be just and reasonable and in the public**
25 **interest?**

1 A. Yes.

2 Q. And do you recommend that the Commission
3 approve the Company's request?

4 A. Yes.

5 MR. SOLANDER: I have no more questions for
6 Ms. Giezendanner. She is available for questions from the
7 Commission or parties.

8 HEARING OFFICER: Ms. Schmid.

9 MS. SCHMID: Nothing from the Division.

10 MR. MOORE: No questions.

11 MS. HAYES: No questions. Thank you.

12 HEARING OFFICER: Mr. Dodge.

13 CROSS EXAMINATION

14 BY MR. DODGE:

15 Q. Thank you. Good morning, Ms. Giezendanner.
16 Gary Dodge with UAE. Just a couple of questions. The
17 Company recognizes, does it not, that the Steering
18 Committee participation by any party doesn't preclude that
19 party from asking the Commission to review and rule on any
20 given DSM issue?

21 A. Yes.

22 Q. You recognize that UAE along with the Steering
23 Committee and Advisory Committee advocated a smaller
24 surcharge and a different manner of collecting that
25 surcharge, do you not?

1 A. For the collection, yes. A smaller surcharge,
2 when we had a discussion on a two step increase I think
3 every member of the Steering Committee knew at that time
4 there would be an increase.

5 Q. I think everyone knew that you would probably
6 ask for another increase, right?

7 A. Yes.

8 Q. But UAE consistently argued that the DSM
9 surcharge was higher than its customers were comfortable,
10 has it not?

11 A. Yes.

12 Q. The Company is not adverse to the concept of
13 amortizing its own DSM costs over a longer period of time
14 than a one year recovery, is it?

15 A. I don't think I'm the appropriate person to
16 respond to that question without doing further analysis on
17 it.

18 Q. Are you aware that is part of the Company's
19 legislation proposal to amortize roughly 90 percent of the
20 DSM --

21 MR. SOLANDER: Objection. There is no
22 foundation for any questions regarding the legislation.
23 Ms. Giezendanner is testifying regarding the Company's
24 application to adjust the surcharge.

25 MR. DODGE: May I respond? The Company

1 responded that the issues that will be raised shouldn't be
2 part of this. I believe the amortization over a longer
3 period of time is part of UAE's request. We have asked for
4 that. We've asked for it with the Steering Committee for a
5 long time. The Company is now proposing it as part of its
6 legislation. I think that's appropriately part of this
7 record. If she doesn't know, she doesn't know.

8 MR. SOLANDER: There has been no legislation
9 introduced in the record in this proceeding.

10 HEARING OFFICER: I'm going to sustain your
11 objection, Mr. Solander.

12 MR. DODGE: If I may. I'm not arguing, but I
13 would like to point out that it is going to be in the
14 record as part of the Office's comments. So if we're going
15 to be precluded from testifying about that or asking
16 questions or if we're going to ask questions, I don't know
17 when we're going to do it if this is the Company's witness
18 on it.

19 HEARING OFFICER: Mr. Dodge, it is my
20 understanding that if there is legislation being proposed
21 that is simply a proposal. It is not something that has
22 been decided on by the legislature. So I don't see that as
23 relevant at this point.

24 MR. DODGE: My argument in the relevancy is the
25 Company is not opposed to the concept of amortizing DSM

1 costs over a longer period of time than one year because it
2 is proposing that. And that's part of UAE's proposal in
3 this docket and that is in the record, at least it will be
4 once our comment is added.

5 HEARING OFFICER: If you want to rephrase your
6 question in a way that it doesn't get into irrelevant
7 material I will grant that. But to the extent you are
8 requesting to ask the witness about legislation that is
9 being proposed, I don't think that is relevant.

10 Q. (By Mr. Dodge) Ms. Giezendanner, are you
11 familiar at all with Company discussions about the
12 possibility of amortizing the DSM cost over a longer period
13 than one year?

14 A. I have been aware of discussions taking place.

15 Q. What discussions have you heard?

16 A. That they were being proposed as part of the
17 legislation filing.

18 MR. DODGE: Thank you. No further questions.

19 HEARING OFFICER: Thank you. Any follow-up,
20 Mr. Solander?

21 MR. SOLANDER: No re-direct. Thank you.

22 HEARING OFFICER: Ms. Giezendanner, I just have
23 one question for you please. This is really a matter of
24 semantics for my clarification and for the Commission's
25 clarification. I think part of your testimony was that the

1 Company is recommending approval of the application. Is it
2 the Company is recommending approval, or is it they are
3 requesting approval, or am I just misunderstanding?

4 THE WITNESS: The Company is requesting
5 approval of the application.

6 HEARING OFFICER: Okay. Thank you.
7 Mr. Solander.

8 MR. SOLANDER: I ask at this time that the
9 Company's advice filing letter and reply comments be
10 entered in the record.

11 HEARING OFFICER: Any objection? Entered.
12 Thank you. Ms. Schmid.

13 MS. SCHMID: Yes, the Division would like to
14 call Ms. Brenda Salter as a witness. May Ms. Salter be
15 sworn?

16 HEARING OFFICER: Yes, she may.

17 (The witness is sworn in.)

18 DIRECT EXAMINATION

19 BY MS. SCHMID:

20 Q. Good morning.

21 A. Good morning.

22 Q. Could you please state your full name,
23 employer, title and business address for the record?

24 A. My name is Brenda Salter. I work for the
25 Division of Public Utilities. I am a technical consultant

1 with the Division. My address is 160 East 300 South, Salt
2 Lake City, Utah.

3 Q. In connection with your employment at the
4 Division have you participated in this docket?

5 A. I have.

6 Q. Did you participate in and cause to be filed
7 the Division's response to the action request, which was
8 filed on December 8, and the Division's reply comments,
9 which were filed on December 15?

10 A. Yes.

11 Q. Is the Division's position today the same as it
12 is expressed in those two filings?

13 A. Yes, it is.

14 Q. Do you adopt the contents of those two filings
15 as your testimony today?

16 A. I do.

17 MS. SCHMID: The Division would move that its
18 action request response filed on December 8 and its reply
19 comments on December 15 be admitted into the record.

20 HEARING OFFICER: Any objection? They are
21 admitted.

22 Q. (By Ms. Schmid) Do you have a summary to
23 provide today?

24 A. I do.

25 Q. Please proceed.

1 A. Good morning. This filing is the second step
2 in a two step process designed to return the DSM balance
3 and account to near zero.

4 On March 3, 2015 the Commission authorized an
5 increase to the schedule 193 surcharge from 3.3 percent to
6 3.62 percent. Rocky Mountain Power is now requesting a
7 second step surcharge increase to 4 percent. The average
8 residential customer using approximately 8,376 kilowatt
9 hours a year would see a \$3.36 annual increase, or
10 approximately .4 percent on their monthly bill beginning
11 January 1, 2016.

12 UAE objects to the increase in the surcharge
13 until after an investigation has been completed into the
14 DSM program and cost adjustment. In addition UAE
15 recommends the Company adjust spending in the DSM program
16 consistent with the current surcharge level.

17 The Division believes that decreasing the 2016
18 budget from \$65.3 million to \$57.5 million to implement
19 UAE's recommendation will cause unnecessary disruption or
20 delay in acquiring what has been shown to be cost effective
21 DSM resources.

22 The Division also notes that the Office's
23 argument against the increase is equally applicable to
24 UAE's proposal of delaying the increase until a lengthy
25 investigation takes place. Potential legislation could

1 make any study or outcome therefrom irrelevant and require
2 the Commission to possibly suspend all the offense spending
3 to well after the end of the legislative session.

4 Therefore, the Division continues to support
5 the Company's application in moving forward with proved
6 cost effective DSM expenditures at a level consistent with
7 the 2015 budget. However, if the Commission is inclined to
8 adopt UAE's proposal, the Division recommends that the
9 Commission adopt an across the board percentage reduction
10 in all programs to achieve the necessary budget reduction.
11 Thank you.

12 **Q. Is it your testimony on behalf of the Division**
13 **that this requested second step increase is just,**
14 **reasonable, and in the public interest?**

15 A. Yes, it is.

16 MS. SCHMID: Thank you. Ms. Salter is now
17 available for questions for the parties and from the
18 Commission.

19 HEARING OFFICER: Mr. Solander.

20 MR. SOLANDER: No questions.

21 HEARING OFFICER: Mr. Moore.

22 MR. MOORE: No questions.

23 HEARING OFFICER: Thank you. Mr. Dodge.

24 CROSS EXAMINATION

25 BY MR. DODGE:

1 Q. Good morning, Ms. Salter. The Division, I
2 assume, has no objection to any group requesting that the
3 Commission investigate things like the proper manner of
4 amortizing or collecting the DSM charges and the cost
5 effectiveness of various programs. I assume you have no
6 trouble with that request; is that correct?

7 A. Yes, I guess.

8 Q. You said in your rely comments as well as in
9 your summary that the potential legislation could make any
10 study or outcome irrelevant and require the Commission to
11 possibly suspend all the offense spending until after the
12 session. I don't understand what you're talking about in
13 terms of suspending DSM spending until after the
14 legislative session.

15 A. Well, it just depends on what happens in
16 legislation and I really don't know what would happen
17 there. But it is a possibility that it could cause
18 problems with the spending of the program.

19 Q. I mean, regardless of whether the Commission
20 approves it or doesn't approve it or opens an investigation
21 or not, legislation could change things, right?

22 A. Right, it could.

23 Q. You're not suggesting the Commission not do
24 what it would normally do if no legislation were pending or
25 proposed?

1 A. No.

2 MR. DODGE: Thank you. No further questions.

3 HEARING OFFICER: Thank you. Ms. Schmid, any
4 follow-up?

5 MS. SCHMID: None.

6 HEARING OFFICER: Thank you, Ms. Salter. You
7 may be excused. Mr. Moore.

8 MR. MOORE: The Office would call Mr. Gavin
9 Mangelson.

10 (The witness is sworn in.)

11 DIRECT EXAMINATION

12 BY MR. MOORE:

13 Q. Would you please state and spell your name,
14 your title, and business address?

15 A. My name is Gavin Mangelson. Last name is
16 spelled M-A-N-G-E-L-S-O-N. I am a utility analyst for the
17 Office of Consumer Services at 160 East 300 South, Salt
18 Lake City, Utah.

19 Q. Have you participated in this docket
20 15-035-T15?

21 A. Yes.

22 Q. Have you prepared or caused to be prepared the
23 Office's comments on December 8, 2015 and reply comments
24 filed on December 15, 2015?

25 A. Yes.

1 Q. Do you have any changes to those comments now?

2 A. No.

3 Q. Would you like to adopt those comments as your
4 testimony?

5 A. Yes.

6 MR. MOORE: At this point I move to admit the
7 comments into the record.

8 HEARING OFFICER: Any objection? They are
9 admitted.

10 Q. (By Mr. Moore) Have you prepared a short
11 statement concerning your position of this docket?

12 A. Yes.

13 Q. Would you please read that statement?

14 A. The Office of Consumer Services does not
15 support the proposed increase of the schedule 193 DSM
16 surcharge to 4 percent at this time.

17 The Company has recently announced initiative
18 for the 2016 legislative session that appear likely to
19 include material changes to the Demand Side Management.
20 Although, it has not been filed in this docket and final
21 language is not available, the Office acknowledges that
22 these announcements have contributed to our position in
23 this docket.

24 The Office does not want the surcharge to
25 increase to 4 percent in order to accommodate the current

1 DSM balance and potential increases and expenses only to
2 have legislation requiring additional charges either to the
3 program budgets or the surcharge amount just a couple
4 months after this change is implemented.

5 The Office suggests it would be better to
6 re-evaluate the proposed increase after the 2016 session,
7 which will be over in early March.

8 Q. Does this complete your statement?

9 A. Yes.

10 MR. MOORE: Mr. Mangelson is available for
11 cross and questions from the Hearing Officer.

12 HEARING OFFICER: Thank you. Mr. Solander, any
13 questions?

14 MR. SOLANDER: Yes, thank you.

15 CROSS EXAMINATION

16 BY MR. SOLANDER:

17 Q. Good morning. Have you read or seen this
18 potential proposed legislation?

19 A. I have not.

20 Q. Are you familiar with the effective date that
21 is going to be potentially included in it?

22 A. As I mentioned in my statement because language
23 is not available, I'm not prepared to comment specifically
24 on the legislation.

25 Q. If you're not familiar with what is in the

1 **legislation, how can you make a recommendation based on**
2 **case potential?**

3 A. I feel that it is appropriate and we
4 acknowledge that the simple announcement to this
5 legislation has made a bearing on our position.

6 **Q. Does this potential legislation guarantee to go**
7 **into effect? Is it guaranteed to pass?**

8 A. It is under process. I believe nothing is
9 guaranteed to pass.

10 **Q. Would it surprise you that the proposed**
11 **effective date for any provisions regarding DSM in the**
12 **legislation is January 1, 2017?**

13 A. It would not surprise me. As I said I have not
14 had an opportunity to review any of the language, the
15 official language regarding the legislation.

16 **Q. Would you agree with me that the DSM Steering**
17 **Committee would have the opportunity to meet several times**
18 **before January 1, 2017 to re-evaluate the DSM surcharge?**

19 A. I would not know.

20 **Q. You don't believe the DSM Steering Committee is**
21 **going to meet in 2016?**

22 A. Sorry. Several times before when?

23 **Q. Before January 1, 2017.**

24 A. I believe that the Steering Committee may have
25 opportunities to meet.

1 MR. SOLANDER: Thank you.

2 HEARING OFFICER: Ms. Schmid.

3 MS. SCHMID: No questions.

4 HEARING OFFICER: Ms. Hayes.

5 MS. HAYES: No questions.

6 HEARING OFFICER: Mr. Dodge.

7 CROSS EXAMINATION

8 BY MR. DODGE:

9 Q. Thank you. Good morning, Mr. Mangelson. You
10 were just asked questions about the proposed effective date
11 and whether you had heard about that from the proposed
12 legislation. Have you also heard the Company purport that
13 there will be no rate or impact because they're going to
14 raise the DSM surcharge to 4 percent anyway and then freeze
15 it at that level or higher in the legislation?

16 A. As I mentioned before we use the announcement
17 and acknowledge they have bearing on our position, but
18 without an opportunity to review the official language I'm
19 not prepared to comment on the legislation specifically.

20 Q. The question was just had you heard that. Had
21 you heard the Company claim there would be no rate or
22 impact because they're already going to raise the DSM
23 surcharge to 4 percent?

24 A. I have heard some discussion along those lines.

25 MR. DODGE: Thank you. No further questions.

1 MR. MOORE: No re-direct.

2 HEARING OFFICER: Thank you. You may be
3 excused, Mr. Mangelson. Ms. Hayes.

4 MS. HAYES: Thank you. Utah Clean Energy and
5 SWEEP will call Mr. Kevin Emerson.

6 HEARING OFFICER: Good morning, Mr. Emerson.

7 (The witness is sworn in.)

8 DIRECT EXAMINATION

9 BY MS. HAYES:

10 Q. Mr. Emerson, will you please state your name
11 and employer and your position for the record?

12 A. My name is Kevin Emerson. My employer is Utah
13 Clean Energy. My position is senior policy and regulatory
14 associate.

15 Q. Thank you. Did you participate in the
16 preparation of Utah Clean Energy and the Southwest Energy
17 Efficiency Project comments filed with the Commission on
18 December 8, 2015?

19 A. Yes, I did.

20 Q. Do you adopt those comments as your testimony
21 today?

22 A. Yes.

23 MS. HAYES: I would move the admission of those
24 comments as Utah Clean Energy and SWEEP testimony.

25 HEARING OFFICER: Any objection? They are

1 admitted.

2 MS. HAYES: Thank you.

3 Q. (By Ms. Hayes) Do you have a brief statement
4 that you have prepared today?

5 A. Yes, I do.

6 Q. Go ahead.

7 A. Utah Clean Energy and SWEEP believe that
8 increasing the DSM surcharge to 4 percent represents a
9 reasonable middle path that will help the Company achieve
10 higher savings in its DSM programs, while also constraining
11 the DSM surcharge increase to a level that is lower than
12 the original proposed second step increase of 4.3 percent.

13 In tandem with the increase to 4 percent, Utah
14 Clean Energy is open to a 2016 DSM budget below the
15 original proposed budget along with prioritized
16 implementation of the most cost effective DSM programs.

17 Utah Clean Energy participated in the DSM
18 Steering Committee meeting and spoke with the Company about
19 this proposal. Utah Clean Energy feels comfortable that
20 the Company can achieve its forecasted savings through this
21 proposal, which is our main interest.

22 So Utah Clean Energy supports the Company's
23 application.

24 Q. Thank you.

25 MS. HAYES: Mr. Emerson is available for

1 questions from the parties and the Commission.

2 HEARING OFFICER: Thank you. Mr. Solander.

3 MR. SOLANDER: No questions.

4 HEARING OFFICER: Ms. Schmid.

5 MS. SCHMID: No questions.

6 HEARING OFFICER: Mr. Moore.

7 MR. MOORE: The Office has no questions.

8 HEARING OFFICER: Mr. Dodge.

9 MR. DODGE: No questions.

10 HEARING OFFICER: Mr. Emerson, you may be
11 excused. Mr. Dodge.

12 MR. DODGE: Thank you, Your Honor. The UAE
13 calls Kelly Francone.

14 (The witness is sworn in.)

15 DIRECT EXAMINATION

16 BY MR. DODGE:

17 **Q. Ms. Francone, would you give your full name and**
18 **position and for whom you work?**

19 A. Yes. My name is Kelly Francone. I am a senior
20 consultant at Energy Strategies, and under Energy
21 Strategies I am also the executive director of Utah
22 Association of Energy Users.

23 **Q. Ms. Francone, are you aware of the comments**
24 **that UAE prepared and filed in this docket on December 8?**

25 A. Yes, I am.

1 **Q. Do you incorporate those comments as part of**
2 **your testimony in this docket?**

3 A. Yes, I do.

4 MR. DODGE: Your Honor, I move for the
5 admission of UAE comments.

6 HEARING OFFICER: Any objection? They are
7 admitted.

8 **Q. (By Mr. Dodge) Ms. Francone, do you have a**
9 **summary of your testimony here this morning?**

10 A. Yes, I do.

11 **Q. Please present that.**

12 A. Good morning. The Utah Association of Energy
13 Users filed comments on December 2 in response to Rocky
14 Mountain Power's filing in docket 15-035-48 asking for an
15 increase in the demand side management surcharge from 3.62
16 percent to 4 percent that would be effective January 1,
17 2016.

18 Traditionally, UAE has been a great supporter
19 of the energy efficiency programs that are clearly shown to
20 be cost effective. Our members have invested tens of
21 millions of dollars of their own on top of the surcharge,
22 which is quite significant to them, in order to implement
23 their own investments and also participate in the Rocky
24 Mountain Power programs.

25 However, our members are concerned with the

1 overspending on certain DSM programs that have led to the
2 surcharge increases these last two years, continued
3 increases to the DSM surcharge overall, and also the
4 current and projected levels of the DSM surcharge we see
5 that growing. We are also concerned about the current DSM
6 funding mechanism. Therefore, UAE opposes Rocky Mountain
7 Power's request to increase the DSM surcharge to 4 percent
8 in 2016.

9 Instead we support the adoption of alternative
10 methods of amortizing and collecting DSM expenditures, as
11 well as cost caps. We request that an investigation should
12 be opened into current and proposed DSM programs, the
13 surcharge levels, appropriate cost controls, and
14 appropriate means of recovering expenditures and
15 appropriate cost effectiveness measures.

16 We also agree with the Office of Consumer
17 Services' comments to the Commission in its concern that
18 Rocky Mountain Power's proposed initiative under the step
19 legislation that it adds another layer of questions as it
20 would shift the administration of the DSM programs away
21 from the Commission and also how the money is collected.

22 This concern supports our request for an
23 investigation into current DSM programs, the projected
24 expenditures, cost effectiveness, funding issues and other
25 things that are relevant. Until such an investigation is

1 complete, we request that Rocky Mountain Power should
2 adjust spending consistent with the current surcharge level
3 of 3.62 percent.

4 We suggest some potential alternatives as to
5 how it is managed now. First, short term spending
6 alternatives could include a reduction in spending the
7 least cost effective programs to match current recovery, so
8 not suspending what is being spent; retain current spending
9 levels and defer the uncollected balance as a regulatory
10 asset.

11 Second, set a relatively short schedule to
12 evaluate different cost recovery options. For example, set
13 the DSM surcharge at 3 percent and defer that balance as a
14 regulatory asset.

15 Third, set a schedule to evaluate mechanisms
16 for avoiding overspending in DSM programs.

17 And also finally, setting a schedule to
18 re-evaluate continuing validity and priority of cost
19 effectiveness measures that are used for DSM evaluation.

20 In response to the Company's comments filed on
21 December 11 that due to the reporting already done by Rocky
22 Mountain Power such an investigation is unwarranted. I
23 would argue that we are asking the Commission to
24 investigate some issues that have not been analyzed, at
25 least in a long time, including cost recovery options,

1 deferral, regulatory assets, cost overrun protections, and
2 others.

3 We are also asking the Commission to evaluate
4 areas that have been examined in the past, but we believe
5 circumstances may have changed such that a re-evaluation is
6 appropriate. That would include the priority of cost
7 effectiveness measures that have been used, including a
8 more prominent role played by the Ratepayer Impact Measure,
9 and how it might impact the cost effectiveness of a
10 specific project if that RIM measure were used.

11 For these reasons and because the DSM programs
12 have become such a significant asset in the resources and
13 will continue to, we believe our request is timely, valid,
14 and in the interest of Rocky Mountain Power customers.

15 Q. Does that conclude your testimony?

16 A. Yes, it does.

17 MR. DODGE: Ms. Francone is available for cross
18 examination.

19 HEARING OFFICER: Mr. Solander, any questions?

20 MR. SOLANDER: Yes, thank you.

21 CROSS EXAMINATION

22 BY MR. SOLANDER:

23 Q. Good morning. Have you seen or are you
24 familiar with the provisions in the step legislation?

25 A. We have not seen the actual legislation, but we

1 have heard Rocky Mountain Power speak on it publicly at the
2 legislature, in front of a large group at the Governor's
3 Air and Energy Symposium, and also have met twice with key
4 Rocky Mountain Power staff about what will be in the
5 legislation.

6 Q. And it's your understanding that the proposed
7 effective date for any DSM related matters will be January
8 1, 2017?

9 A. That hasn't been really made clear, but that's
10 not a date that would surprise me.

11 Q. Wouldn't you agree that the DSM Steering
12 Committee would have a number of opportunities to meet
13 before that proposed effective date to evaluate and review
14 any changes?

15 A. We would have some opportunities, but it takes
16 time to investigate things. And in June we already made
17 comments at the Steering Committee meeting that we would
18 like to see how the programs could be amortized or
19 something different done, and here we are in December and
20 no steps have been taken forward to do that. So even if we
21 have that whole full year of meetings, I think we would
22 need more time than that. So 2017 is not very far away.

23 Q. So that was a yes?

24 A. We would have some opportunities.

25 MR. SOLANDER: Thank you. No further

1 questions.

2 HEARING OFFICER: Ms. Schmid.

3 MS. SCHMID: No questions.

4 HEARING OFFICER: Mr. Moore.

5 MR. MOORE: No questions.

6 HEARING OFFICER: Ms. Hayes.

7 MS. HAYES: No questions.

8 HEARING OFFICER: Any re-direct, Mr. Dodge?

9 MR. DODGE: No, Your Honor.

10 HEARING OFFICER: Ms. Francone, one question
11 for you please. At the very beginning of your testimony
12 you referenced a docket number, I may have misheard you,
13 but I thought you said 14-035-48 was the docket.

14 THE WITNESS: I probably misquoted that.

15 HEARING OFFICER: Just to be sure, you are
16 testifying in this docket which is 15-035-T15?

17 THE WITNESS: Yes. Yes. Sorry about the
18 error.

19 HEARING OFFICER: No problem. Thank you for
20 the clarification. You may be excused. Is there anything
21 else to come before the Commission today? Okay. Thank you
22 very much for being here. The Commission appreciates your
23 attendance and testimony. We will be adjourned and I will
24 take the matter under consideration. Thank you.

25 (The hearing concluded at 9:45 a.m.)

C E R T I F I C A T E

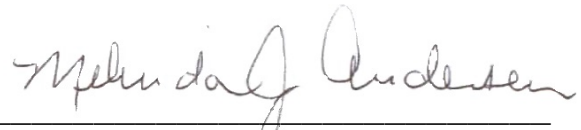
STATE OF UTAH)
:
COUNTY OF SALT LAKE)

I, Melinda J. Andersen, Certified Shorthand Reporter and Notary Public in and for the County of Salt Lake and State of Utah, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth, and were taken down by me in shorthand and thereafter transcribed into typewritten under my direction and supervision:

That the foregoing 32 pages contain a true and correct transcription of my shorthand notes so taken.

WITNESS MY HAND and official seal at Salt Lake City, Utah this 28th day of December, 2015.



Melinda J. Andersen, C.S.R.

My Commission Expires:
February 10, 2018

<p>\$</p> <hr/> <p>\$3.36 16:9</p> <p>\$57.5 16:18</p> <p>\$65.3 16:18</p> <p>\$8.2 8:2</p> <hr/> <p>1</p> <hr/> <p>1 7:21,23 9:12 16:11 22:12, 18,23 27:16</p> <p>11 29:21</p> <p>14-035-T14 7:20</p> <p>15 6:2 8:23 9:1 15:9,19 19:24</p> <p>15-035-48 27:14</p> <p>15-035-T15 4:4 19:20</p> <p>15-14 7:16 9:10</p> <p>15th 6:2</p> <p>160 15:1 19:17</p> <p>193 4:6 7:17 8:1 16:5 20:15</p> <hr/> <p>2</p> <hr/> <p>2 27:13</p> <p>2015 7:15,21 8:5,11,23 9:1 16:4 17:7 19:23,24 24:18</p> <p>2016 7:23,25 8:3,8 9:12</p>	<p>16:11,17 20:18 21:6 22:21 25:14 27:17 28:8</p> <p>2017 22:12,18, 23</p> <p>23 7:15 8:5</p> <hr/> <p>3</p> <hr/> <p>3 16:4 29:13</p> <p>3.3 16:5</p> <p>3.62 7:19 16:6 27:15 29:3</p> <p>300 15:1 19:17</p> <p>31 8:3</p> <hr/> <p>4</p> <hr/> <p>4 16:7,10 20:16,25 23:14,23 25:8, 13 27:16 28:7</p> <p>4.0 7:22 8:6 9:11</p> <p>4.13 8:10</p> <p>4.3 25:12</p> <hr/> <p>8</p> <hr/> <p>8 8:11 15:8,18 19:23 24:18 26:24</p> <p>8,376 16:8</p> <hr/> <p>9</p> <hr/> <p>90 11:19</p>	<p>A</p> <hr/> <p>absent 7:25</p> <p>acceptable 8:8</p> <p>accommodate 20:25</p> <p>account 8:2,7 16:3</p> <p>achieve 17:10 25:9,20</p> <p>acknowledge 22:4 23:17</p> <p>acknowledged 8:6</p> <p>acknowledges 20:21</p> <p>acquiring 16:20</p> <p>action 15:7,18</p> <p>actions 9:7</p> <p>added 13:4</p> <p>addition 16:14</p> <p>additional 21:2</p> <p>address 5:9, 10,25 14:23 15:1 19:14</p> <p>adds 28:19</p> <p>adjust 6:11 11:24 16:15 29:2</p> <p>adjusting 8:6</p> <p>adjustment 4:6 7:18,21 8:16 9:24 16:14</p>	<p>administration 28:20</p> <p>admission 24:23 27:5</p> <p>admit 20:6</p> <p>admitted 15:19,21 20:9 25:1 27:7</p> <p>adopt 15:14 17:8,9 20:3 24:20</p> <p>adoption 28:9</p> <p>adverse 11:12</p> <p>advice 7:6,15 9:10 14:9</p> <p>Advisory 10:23</p> <p>advocated 10:23</p> <p>agree 22:16 28:16</p> <p>agreed 9:7</p> <p>ahead 25:6</p> <p>alternative 28:9</p> <p>alternatives 29:4,6</p> <p>amortization 12:2</p> <p>amortize 11:19</p> <p>amortizing 11:13 12:25 13:12 18:4 28:10</p> <p>amount 21:3</p> <p>analysis 8:9</p>	<p>11:16</p> <p>analyst 4:20 19:16</p> <p>analyzed 29:24</p> <p>announced 20:17</p> <p>announcement 22:4 23:16</p> <p>announcement s 20:22</p> <p>annual 16:9</p> <p>appearances 4:7</p> <p>appearing 4:10</p> <p>applicable 16:23</p> <p>application 5:9 6:7 7:11 11:24 14:1,5 17:5 25:23</p> <p>appropriately 12:6</p> <p>approval 14:1, 2,3,5</p> <p>approve 8:19 9:11 10:3 18:20</p> <p>approved 7:19</p> <p>approves 18:20</p> <p>approximately 8:2 16:8,10</p> <p>argue 29:23</p> <p>argued 11:8</p> <p>arguing 12:12</p>
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