

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application
of Rocky Mountain Power for Authority
to Revise Rates in Tariff Schedule 98,
Renewable Energy Credits Balancing Account

Docket No. 16-035-10

HEARING PROCEEDINGS

JOB NUMBER: 299352
TAKEN AT: Public Service Commission
Hearing Room 403
160 East 300 South
Salt Lake City, Utah
DATE: May 13, 2016
TIME: 9:00 a.m.
REPORTER: Lindsay Payeur, RPR

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APPEARANCES

PRESIDING OFFICER:
Michael Hammer

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

2

3 OFFICER HAMMER: Good morning. Let's go
4 on the record, please.

5 Can everyone hear me okay?

6 This is the time and place noticed for an
7 interim rates hearing in the matter of The
8 Application of Rocky Mountain Power for Authority to
9 Revise Rates in Tariff Schedule 98, Renewable Energy
10 Credits Balancing Account. That's Commission Docket
11 No. 16-035-10.

12 My name is Michael Hammer, and I am the
13 Commission's designated presiding officer over this
14 hearing.

15 With that, let's go ahead and take
16 appearances, please, starting with the applicant.

17 MS. HOGLE: Good morning. Yvonne Hogle on
18 behalf of Rocky Mountain Power. And with me today is
19 Mr. Terrell Spackman, Joelle Steward, and Mr. Bruce
20 Griswold, who's on the phone.

21 OFFICER HAMMER: Welcome, Ms. Hogle.

22 MR. JETTER: Good morning. I'm Justin
23 Jetter with the Utah Attorney General's Office. I
24 represent the Utah Division of Public Utilities. And
25 with me at counsel table is Bob Davis with the Utah

1 Division of Public Utilities.

2 MR. OLSEN: I'm Rex Olsen with the
3 Office -- representing the Office of Consumer
4 Services. And with me is Cheryl Murray, who will be
5 a witness for the Office.

6 OFFICER HAMMER: All right. Are there any
7 preliminary matters we need to address before we
8 begin?

9 MS. HOGLE: Yes, Mr. Hearing Officer. I
10 wonder if it would be a good idea to introduce -- or
11 move for the admission of the testimony of Ms. Joelle
12 Steward and Mr. Bruce Griswold into the record so
13 that the only person who will be testifying today,
14 assuming there aren't any questions from you, is
15 Mr. Spackman, who is supporting the application as
16 well.

17 OFFICER HAMMER: Is there any objection to
18 that?

19 MR. OLSEN: No objection.

20 MR. JETTER: No objection from the
21 Division.

22 OFFICER HAMMER: Is Mr. Spackman prepared
23 to testify to the veracity of the statements in those
24 other document for which you're moving the admission?

25 MS. HOGLE: Yes, I believe he is, to some

1 extent. To the extent that you have more substantive
2 questions, we would be happy to put either
3 Ms. Steward or Mr. Griswold on the stand.

4 And also, I guess I should clarify that
5 Mr. Spackman would -- I would not be offering his
6 testimony preliminarily, I would offer him -- or
7 offer it when he's on the stand. So it would just be
8 Mr. Griswold and Ms. Steward's testimony that I would
9 be offering into evidence.

10 OFFICER HAMMER: Okay. That's -- and
11 that's fine. And the other documents are certainly
12 received and -- and part of the record in this -- in
13 this matter. To the extent they're going to be
14 considered as evidence, the voracity of which has
15 been attested to, we would need the witness I think
16 to do so.

17 MS. HOGLE: Okay.

18 OFFICER HAMMER: But they're certainly
19 part of the record in the matter.

20 MS. HOGLE: Okay. So should I move to
21 have those admitted into the record?

22 OFFICER HAMMER: That's fine.

23 MS. HOGLE: Okay.

24 OFFICER HAMMER: And no objection?

25 MR. JETTER: No.

1 OFFICER HAMMER: Then they're received.

2 MS. HOGLE: Thank you.

3 OFFICER HAMMER: And if you're prepared,
4 Ms. Hogle, please call your first witness.

5 MS. HOGLE: Okay. The Company prepare--
6 excuse me, the Company requests that Mr. Spackman
7 take the stand. Or if you -- if it pleases
8 Mr. Hearing Officer, he can do it from -- from where
9 he's sitting.

10 OFFICER HAMMER: I always defer to the
11 court reporter. Is it easier for you if Mr. Spackman
12 takes the stand?

13 THE COURT REPORTER: I can hear him fine
14 where he's at. That's fine.

15 OFFICER HAMMER: Then if you'd prefer to
16 remain seated, that's fine.

17 MS. HOGLE: Okay. I believe he --

18

19 TERRELL H. SPACKMAN,
20 called as a witness, being first duly sworn,
21 was examined and testified as follows:

22

23 OFFICER HAMMER: Thank you. Please
24 proceed.

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EXAMINATION

BY MS. HOGLE:

Q. Good morning, Mr. Spackman.

A. Good morning.

Q. Can you please state and spell your name and place of employment for the record.

A. Yes. My name is Terrell H. Spackman. It's spelled T-E-R-R-E-L-L, initial H, S-P-A-C-K-M-A-N. And I'm employed by Rocky Mountain Power as our Manager of Revenue Requirements in our regulatory group.

Q. Thank you.

And can you provide some of your background for the hearing officer and the parties today?

A. Yes. I've been employed by Rocky Mountain Power or its predecessor company since 1984. And shortly after starting in our financial accounting area, I began working in regulatory financial analysis studies, which I've continued to do for approximately 30 years. This includes revenue requirements and customer benefits analysis -- analyses, covering such areas as capital expenditures, operational studies, asset acquisitions, dispositions, fueling studies, and the

1 like. I've covered a lot of different topics during
2 those years.

3 I was a planning and financial analysis
4 manager for approximately 15 years, supervising a
5 group of people, and was recently hired into the
6 regulation department as the revenue requirements
7 manager last July.

8 I am currently responsible for managing
9 the work of three anal-- revenue requirement
10 analysts, as well as special revenue requirement
11 studies within regulation, calculating revenue
12 requirement impact in the company's business plan, as
13 well as managing the cost recovery mechanisms within
14 the regulator-- regulation department, including the
15 Renewable Energy Credits Balancing Account for the
16 proceeding today.

17 **Q. Thank you.**

18 **And so as Manager of Revenue Requirements**
19 **for the Company, did you prepare or cause to be**
20 **prepared the direct testimony and exhibits -- three**
21 **exhibits, I believe -- in the support of the**
22 **Company's application in this case?**

23 **A. Yes, I did.**

24 **Q. Okay. And do you have any changes to your**
25 **direct testimony that you'd like to point out at this**

1 **time?**

2 A. Yes, I do. If we could to turn to my
3 direct testimony, page 11, line 212. The first line
4 on that -- the page there, 212, we are striking the
5 words "and carrying charges were added." And that is
6 the only change I have to my direct testimony.

7 **Q. And do you have any additional corrections**
8 **that you would like to discuss at this time?**

9 A. Yes, I do. Two lines of calculations in
10 my exhibit RMP_(THS-2) had offsetting calculation
11 impacts on lines 16 and 17 of the exhibit, producing
12 zero net change.

13 This change also flows through to Exhibit
14 RMP_(THS-3), lines 6 and 7.

15 The Company filed yesterday replacement
16 pages for Exhibits RMP_(THS-2), page 1 of 3. And
17 RMP_(THS-3), page 1 of 1, which replaced the
18 previously-filed exhibits in -- by the same name in
19 their entirety. These revised exhibits correct the
20 offsetting allocation impacts and produce the same
21 total deferral balance results as the original filed
22 exhibits.

23 **Q. Okay. And just one additional question.**

24 **Did you notify the parties in this case**
25 **about these corrections?**

1 A. Yes, we did. Yesterday we had two calls,
2 one with Cheryl Murray of the -- of OCS, Office of
3 Consumer Services, and one with Bob Davis of the
4 Division of Public Utilities.

5 Q. Okay. Thank you.

6 And so with these corrections and these
7 changes, if I were to ask you the same questions in
8 your direct testimony and your exhibits here today,
9 would your answers be the same?

10 A. Yes, they would.

11 Q. Okay.

12 MS. HOGLE: At this time, I would like to
13 offer Mr. Terrell Spackman's direct testimony and his
14 Exhibits THS-1, THS-2, THS-3 as corrected into the
15 record.

16 OFFICER HAMMER: Any objection?

17 MR. OLSEN: No objection.

18 MR. JETTER: No objection.

19 OFFICER HAMMER: They're admitted. Thank
20 you.

21 MS. HOGLE: Thank you.

22 Q. **(By Ms. Hogle) Mr. Spackman, do you have**
23 **a summary that you would like to give at this time?**

24 A. Yes, I do.

25 Q. Okay. Please proceed.

1 A. Good morning, Mr. Hearing Officer.

2 On March 15, 2015, Rocky Mountain Power
3 filed its annual Renewable Energy Credits Balancing
4 Account, or RBA, seeking to return a deferral balance
5 to customers through Schedule 98 of
6 approximately \$368,000 to be returned over a period
7 of one year.

8 This amount includes carrying charge
9 credits during the deferral period of
10 January 1, 2015, through December 31, 2015, and the
11 interim period of January 1, 2016, through May 2016
12 of approximately \$15,000.

13 The \$368,000 will be subtracted from
14 the \$7.5 million remaining to be collected, as
15 approved in prior year dockets. The net amount, \$7.1
16 million deferral established in this filing, will be
17 collected from Utah customers June 1, 2016 through
18 May 31, 2017.

19 Myself, Mr. Bruce Griswold, and Ms. Joelle
20 Steward filed testimony in support of the Company's
21 application describing the calculations. My
22 testimony describes the calculation of the deferral
23 amounts and the amount the REC revenue -- amount of
24 REC revenue allocated to Utah rate payers.
25 Mr. Griswold's testimony presents a detailed

1 accounting of the total Company REC revenue for
2 calendar year 2015. And Mr. Steward's testimony
3 addresses the allocation of the RBA among the
4 customer classes and the resulting Schedule 98 rates
5 in this case.

6 The \$7.1 million requested in this RBA was
7 calculated in a manner consistent with the previous
8 RBA filings and the methodology set forth in the
9 September 13, 2011 stipulation, resulting Docket Nos.
10 10-035-14 and 10-035-125.

11 The RBA deferral is calculated as the
12 difference between actual REC revenue realized by the
13 Company and the amount in rates.

14 In this RBA filing, the deferral period
15 was January 1, 2015, through December 31, 2015. The
16 impact of this filing for customers is a decrease in
17 the rates of 0.07 percent for an average residential
18 customer using 700 kilowatt hours a month. This
19 results in a decrease of about 6 cents.

20 The Company respectfully requests the
21 Commission approve the Company's request to
22 collect \$7.1 million associated with this RBA filing
23 on an interim basis beginning January 1, 2016.

24 Thank you.

25 **Q. Thank you.**

1 I just have a couple of questions. You --
2 you mentioned Docket 10-035-125. Did you
3 mean 10-035-124 in your summary?

4 A. Yes, I did.

5 Q. Okay. And then do you believe that
6 approval of the Company's request for an interim rate
7 increase, as you testified, is in the public's
8 interest?

9 A. Yes, it is.

10 Q. Okay. Thank you.

11 MS. HOGLE: That's all. Thank you.

12 OFFICER HAMMER: Mr. Jetter, any questions
13 for Mr. Spackman?

14 MR. JETTER: I have no questions, Your
15 Honor. Thank you.

16 OFFICER HAMMER: Mr. Olsen?

17 MR. OLSEN: I have no questions. Thanks.

18 OFFICER HAMMER: Thank you.

19 And, Ms. Hogle, do you have any other
20 witnesses you'd like to present?

21 MS. HOGLE: Not at this time, Your Honor.
22 Thank you.

23 OFFICER HAMMER: Thank you. Then we will
24 move on to the Division of Public Utilities.

25 Mr. Jetter, if you'll please call your

1 first witness.

2 MR. JETTER: Thank you. The Division
3 would like to call to have sworn in Mr. Bob Davis.

4 OFFICER HAMMER: Mr. Davis, do you prefer
5 to stay seated?

6 MR. DAVIS: Yes, please.

7

8 BOB DAVIS,
9 called as a witness, being first duly sworn,
10 was examined and testified as follows:

11

12 OFFICER HAMMER: Please proceed.

13

14 EXAMINATION

15 BY MR. JETTER:

16 Q. Good morning, Mr. Davis.

17 Will you please state your name and
18 occupation for the record.

19 A. My name's Bob Davis. B-O-B D-A-V-I-S.
20 And I'm a utility analyst for the Division of Public
21 Utilities.

22 Q. Thank you.

23 And in the course of your employment with
24 the Utah Division of Public Utilities, have you had
25 the opportunity to review the application filed by

1 the Company in this docket, along with the testimony
2 and exhibits that were filed with that application?

3 A. Yes, I have.

4 Q. And are you aware that the Division filed
5 comments on April 20, 2016?

6 A. Yes.

7 Q. And is it correct that those comments were
8 created by another employee of the Division of Public
9 Utilities?

10 A. That's correct.

11 Q. Have you reviewed those comments?

12 A. I have.

13 Q. And would you adopt those comments today
14 as your opinion and adopt them as your testimony
15 today?

16 A. I would.

17 Q. Do you have any corrections or changes or
18 anything of that nature that you'd like to make to
19 those?

20 A. I don't.

21 MR. JETTER: With that, I'd like to move
22 at this time to enter the comments from the Division
23 of Public Utilities from April 2nd, two -- April,
24 excuse me, 20th, 2016, into the record of this
25 hearing.

1 OFFICER HAMMER: Any objection?

2 MR. OLSEN: No objection.

3 OFFICER HAMMER: They're admitted. Thank
4 you.

5 MR. JETTER: Thank you.

6 Q. (By Mr. Jetter) And have you prepared a
7 brief written comment that you would like to read
8 into the record today?

9 A. I have. It was actually prepared by my
10 coworker.

11 Q. Okay. And as you read it, are you reading
12 that as your own opinion?

13 A. I am.

14 Q. Thank you. Please go ahead.

15 A. Good morning.

16 Tariff Schedule 98 tracks the difference
17 between renewable energy credit revenues included in
18 rates and actual REC revenues collected from the sale
19 of RECs by the Company.

20 The variances between REC revenues
21 included in rates and actual REC revenues collected
22 are identified and deferred each month for one full
23 calendar year.

24 Annually, on March 15th, an RBA
25 application is filed to present the variances,

1 including applicable carrying charges with a 100
2 percent true-up, the difference between the amounts
3 in rates and actual sales occurring through Tariff
4 Schedule 98.

5 The collection of credit under Tariff
6 Schedule 98 is to be made annually, effective June 1.
7 The application under this Docket is the fifth
8 deferred RBA rate adjustment under the RBA.

9 This application requests collecting over
10 a one-year period the 2016 RBA deferral credit
11 balance of 368,000, along with the remaining 2014
12 and 2015 RBA deferral balance of 7.5 million, for a
13 total of 7.1 million.

14 The Company proposes allocation of REC
15 revenues across customer classes that are consistent
16 with the approved spread found in step 1 and 2 of
17 the 2014 general rate case stipulation, with two
18 modifications for metered outdoor nighttime lighting
19 and Special Contract 1.

20 The Division has performed a preliminary
21 review of the filing and the corresponding Commission
22 orders and has found that, in general, the Company
23 has complied with the Commission's orders and
24 recommends the change in Schedule 98 be approved on
25 an interim basis.

1 As outlined in the Commission scheduling
2 order dated March 23, 2016, the Division will file
3 its RBA audit report on July 7, 2016.

4 The Division is concerned that the
5 conditions giving rise to the current RBA process no
6 longer exists. With the implementation of California
7 Senate Bill 2, the Company is unable to sell bundled
8 RECs into the California market. The tens and
9 millions of dollars sold prior to 2012 were the
10 result of contracted, bundled REC sales made prior to
11 California's Senate Bill 2 enactment and prior to the
12 Commission-approved RBA.

13 The Division is recommending that the
14 Commission consider canceling the renewable balancing
15 account in the next general rate case.

16 Thank you.

17 MR. JETTER: I have no further questions
18 for Mr. Davis, and he's available for
19 cross-examination.

20 OFFICER HAMMER: Ms. Hogle, any questions?

21 MS. HOGLE: No questions.

22 MR. OLSEN: No questions, Your Honor.

23 OFFICER HAMMER: Thank you, Mr. Olsen.

24 And do you have any other witnesses,
25 Mr. Jetter?

1 MR. JETTER: No, Your Honor. That is the
2 entirety of the Division's witnesses today.

3 OFFICER HAMMER: Thank you.

4 Mr. Olsen.

5 MR. OLSEN: Thank you. Your Honor, I'd
6 like to call Cheryl Murray.

7

8 CHERYL MURRAY,
9 called as a witness, being first duly sworn,
10 was examined and testified as follows:

11

12 OFFICER HAMMER: And do you prefer to stay
13 seated?

14 THE WITNESS: Yes, please.

15 OFFICE HAMMER: Okay. Please proceed.

16

17 EXAMINATION

18 BY MR. OLSEN:

19 Q. Could you state your name for the record,
20 please.

21 A. My name is Cheryl Murray.

22 Q. And what is your position with the Office
23 of Consumer Services?

24 A. I'm a utility analyst.

25 Q. As part of that work, did you have an

1 opportunity to review the application and exhibits
2 submitted by Rocky Mountain Power in this case and
3 the comments that were submitted by the Division?

4 A. Yes, I did.

5 Q. Do you have any statement you'd like to
6 provide to the Court?

7 A. Yes. I have a brief statement on behalf
8 of the Office.

9 The Office of Consumer Services is
10 responsible for assessing the impact of utility rate
11 changes and regulatory actions upon residential and
12 small commercial customers. And it is with that
13 responsibility in mind that we have analyzed Rocky
14 Mountain Power's request to revise rates in Tariff
15 Schedule 98, Renewable Energy Credits Balancing
16 Account.

17 With the assistance of our accounting
18 consultant, we've reviewed the application, exhibits,
19 testimony of Rocky Mountain Power, discovery
20 responses, the Division of Public Utilities' initial
21 comments submitted on April 26, 1916 [sic], and other
22 relevant documents.

23 The Company informed us yesterday
24 regarding the allocation error it found in the
25 spreadsheet exhibits, which it has addressed today.

1 Other than that, we found no errors, discrepancies,
2 or issues of concern in our initial examination and
3 analysis of the documents reviewed.

4 It is our intent to conduct a
5 comprehensive analysis following the issuance of the
6 Division's audit report, which is expected on
7 July 7, 2016.

8 In the Office's judgment, allowing the
9 proposed Schedule 98 rate adjustment, including the
10 allocation to customer classes on an interim basis
11 pending the Division's audit and parties' comments
12 and recommendations, is just and reasonable in
13 result, and we recommend Commission approval.

14 The Division in their comments again
15 mentions their concern or their idea that the REC
16 balancing account is no longer necessary. It is the
17 Office's judgment that that entire issue will be
18 appropriately discussed in the -- potentially the
19 next rate case that Rocky Mountain Power files, and
20 we have no further comment on that time -- at this
21 time, as there are other parties who will, we
22 believe, want to weigh in on that issue.

23 And that concludes my statement.

24 **Q. If I may, just one clarification. I**
25 **believe at one point you said that the filing from**

1 the Division was on -- in 1916. Did you mean 2016?

2 A. Well, I couldn't have read it I think back
3 then. So, yes, I did mean 2016.

4 Q. Thank you. That's all.

5 A. Thanks.

6 MR. OLSEN: I have no further -- no
7 further questions. My client's ready -- is available
8 for cross-examination.

9 OFFICER HAMMER: Thank you, Ms. Murray.
10 Ms. Hogle, any cross-examination?

11 MS. HOGLE: No questions.

12 OFFICER HAMMER: Mr. Jetter?

13 MR. JETTER: No questions.

14 OFFICER HAMMER: Okay. Does any--
15 parties' counsel have any additional comments they
16 would like to make to the Commission before we
17 conclude this proceeding?

18 (No audible responses.)

19 OFFICE HAMMER: All right. Well, I
20 believe the Commission is well poised to issue
21 written order on this interim rates hearing before
22 June 1st, and we will look forward to receiving the
23 Division's audit report when it is due on July 7th.

24 Thank you very much. We'll be adjourned.

25 (Hearing adjourned at 9:25 a.m.)

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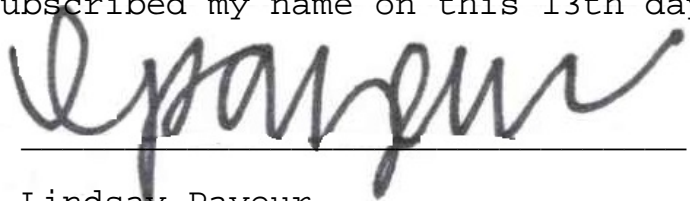
REPORTER'S CERTIFICATE.

STATE OF UTAH)
COUNTY OF SALT LAKE)

I, Lindsay Payeur, Certified Shorthand Reporter, Registered Professional Reporter, hereby certify:

That the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witnesses were placed under oath to tell the truth; that the proceedings were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and the foregoing transcript constitutes a full, true, and accurate record of such testimony adduced and oral proceedings had, and of the whole thereof.

I have subscribed my name on this 13th day of May, 2016.



Lindsay Payeur

Registered Professional Reporter

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