



State of Utah

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Public Service Commission

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JOHN S. HARVEY, Ph.D.
Commissioner

September 8, 2023

Ms. Jana Saba
Rocky Mountain Power
1407 W North Temple, Suite 330
Salt Lake City, UT 84116

Data Request Response Center
PacifiCorp
825 NE Multnomah St., Suite 2000
Portland, OR 97232

Re: *Application of Rocky Mountain Power for Approval of a Renewable Energy Services Contract between Rocky Mountain Power and Facebook, Inc. Pursuant to Tariff Electric Service Schedule 34; Docket No. 16-035-27*

Dear Ms. Saba:

The Public Service Commission (PSC) reviewed Rocky Mountain Power's (RMP) June 30, 2023 submission of its first compliance filing ("Report") for approval of a renewable energy services contract (RESC), comprising several confidential and non-confidential attachments. RMP filed the Report in accordance with the PSC's August 29, 2016 Order Memorializing Bench Ruling Approving Renewable Energy Service Contract with Facebook, Inc.¹ ("Facebook") in this docket and its order dated September 22, 2022 in Docket No. 22-035-30, Application of Rocky Mountain Power for Approval of Third Amendment to Renewable Energy Service Contract between Rocky Mountain Power and Stadion LLC² (together, with the Order, hereinafter referred to as the "Orders").

¹ On August 29, 2016, the PSC approved the RESC under Schedule 34 with Facebook subject to certain reporting requirements, specifically to provide the first report as soon as practicable following the second full year of collection of data after the customer took initial service under the contract.

² In the PSC's Order dated September 22, 2022 in Docket No. 22-035-30, Application of Rocky Mountain Power for Approval of Third Amendment to Renewable Energy Service Contract between Rocky Mountain Power and Stadion LLC, the PSC approved a third amendment to the RESC, wherein parties agreed to various additional safeguards allowing RMP to meet Facebook's renewable energy needs while protecting other RMP ratepayers from subsidizing the service. The third amendment also proposed a reporting schedule, with the first report to be filed by the end of the second quarter of 2023, and requisite reporting

The PSC also reviewed the comments submitted by the Division of Public Utilities (DPU) and the Office of Consumer Services (OCS), filed on August 10, 2023, and RMP's reply comments, filed on August 25, 2023.³ DPU states the Report generally contains the relevant reporting requirements and appears to comply with the Orders. OCS reiterates that RMP appears to have provided the PSC-approved items in the Order but states it was unable to verify the entirety of their content within the comment deadline due to the quantity and complexity of the items. OCS further states that it has no specific recommendation regarding the Report. Nevertheless, both OCS and DPU expressed concerns of potential subsidization of the RESC by non-participating customers and requested RMP provide additional information on its calculations showing that non-participating customers are not subsidizing the RESC.

In its reply comments, RMP offered an analysis (*see Confidential Table 1*) and an explanation of the information provided in the Report that attempt to demonstrate the revenues under the RESC adequately cover its attendant costs while providing potential net benefits to Utah non-participating customers.⁴ Accordingly, RMP requests that the PSC acknowledge the Report as meeting the relevant reporting requirements.

Based on the PSC's review of the Report, DPU's recommendation, OCS's comments, RMP's reply comments, and there being no opposition, the PSC acknowledges that the Report complies with the reporting requirements of the Orders.

Sincerely,

/s/ Gary L. Widerburg
PSC Secretary

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thereafter every other year for a period of six years totaling three reports. RMP will file the subsequent reports on or before June 30, 2025 and June 30, 2027.

³ OCS's comments were filed in both confidential and redacted formats. RMP's reply comments were likewise filed in both confidential and redacted formats.

⁴ RMP reply comments at 2-3.