



State of Utah
Department of Commerce
Division of Public Utilities

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Action Request Response

To: Utah Public Service Commission

From: Utah Division of Public Utilities

Chris Parker, Director
Artie Powell, Energy Section Manager
Bob Davis, Utility Analyst

Date: June 13, 2017

Re: **Docket No. 16-035-36**. In the Matter of the Application of Rocky Mountain Power to Implement Programs Authorized by the Sustainable Transportation and Energy Plan Act.

RECOMMENDATION - (APPROVAL)

The Division of Public Utilities (Division) recommends that the Public Service Commission (Commission) approve Rocky Mountain Power's (Company) Compliance Filing (Filing) for Regulation No. 13, "Commercial Line Extension Program." The Division has reviewed Regulation No. 13 and determined that the Company has complied with the Commission's May 24, 2017 Phase Two Report and Order in the Sustainable Transportation and Energy Plan Act docket.

ISSUE

On June 6, 2017, the Company filed its revised Regulation No. 13 sheet with the Commission. The Filing consists of a cover letter, edited sheet and clean sheet for Regulation No. 13. The Company proposes an effective date of May 24, 2017. The Commission issued an action request on the filing date requesting the Division to investigate the Filing and make recommendations. The Commission requested the Division complete its review by June 20, 2017.

DISCUSSION

In compliance with the Commission's Order, the Company submitted its Filing with the Commission on June 6, 2017. The Division has reviewed the Filing in light of the Commission's Order and determined that the language and form contained within the Filing is compliant.

The Division notes that the Company does not make an affirmative statement in its cover letter that “the proposed tariff sheets do not constitute a violation of state law or Commission rule” per R746-405-2(D). In addition to requiring an explicit affirmation, the rule states that, “The filing of proposed tariff sheets shall of itself constitute the representation of the filing utility that it, in good faith, believes the proposed sheets or revised sheets to be consistent with applicable statutes, rules and orders.” The Division does not believe the tariff sheets violate any applicable statutes or rules and, therefore, accepts the Company’s filing as an implied affirmative representation as such.

CONCLUSION

The Division concludes that the Filing accurately implements the Commission’s Report and Order, and recommends approval.

CC: Jeffrey K. Larsen, RMP
Bob Lively, RMP
Michele Beck, OCS