



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: July 17, 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 Schedule No. 121, "Plug-in Electric Vehicle Load Research Study Program-Temporary," and Schedule No. 2E, "Residential Service-Electric Vehicle Time-of-Use Pilot Option-Temporary." In addition, the Division reviewed the Company's other proposed tariff modifications as needed to Schedule No. 80, Schedule No. 91, Schedule No. 94.10, Schedule No. 98, Schedule No. 193.2, and Schedule No. 196.2 as a result of Schedules 121 and 2E. The Division has reviewed Schedule No. 121 and Schedule No. 2E and determined that the Company has complied with the Commission's June 28, 2017, Phase Three Report and Order in the Sustainable Transportation and Energy Plan Act docket.

### ISSUE

On July 10, 2017, the Company filed its revised Schedule No. 121 and Schedule No. 2E and other tariff sheet modifications as needed with the Commission. The Filing consists of a cover letter, edited sheets and clean sheets for the tariffs mentioned above. The Company proposes an effective date of July 20, 2017. The Commission issued an action request on the filing date requesting the Division to review for compliance and make recommendations. The Commission requested the Division complete its review by July 17, 2017.

## **DISCUSSION**

In compliance with the Commission's Order, the Company submitted its Filing with the Commission on July 10, 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 Phase Three Report and Order, and recommends approval.

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