

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of Rocky Mountain Power to Decrease the Deferred EBA Rate through the Energy Balancing Account Mechanism	<u>DOCKET NO. 17-035-01</u> <u>SCHEDULING ORDER AND ORDER</u> <u>SUSPENDING TARIFF</u>
---	--

ISSUED: March 23, 2017

In accordance with the discussion at the scheduling conference held March 21, 2017, the parties agreed to the following schedule:

SCHEDULE

ITEM	DEADLINE/DATE/TIME/LOCATION
The Division of Public Utilities (DPU) to conduct a preliminary review of PacifiCorp's application and provide a preliminary conclusion if the EBA filing appears to not depart from prior years' filings, ¹ and comment on tariff filing. Comments from all parties.	Friday, March 31, 2017
Replies, including issues raised for the first time.	Thursday, April 13, 2017
Hearing ² (Responses allowed at hearing.)	Wednesday, April 19, 2017, beginning at 9:00 a.m., Fourth Floor Hearing Room 403, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah.

¹ See *In the Matter of the Application of Rocky Mountain Power for Approval of its Proposed Energy Cost Adjustment Mechanism* (Order at 28, ¶ 2), Docket No. 09-035-15.

² See Utah Code Ann. § 54-7-12(4)(a)(ii) ("The commission, on its own initiative or in response to an application by a public utility or other party, may, *after a hearing*, allow any rate increase or decrease proposed by a utility . . . to take effect on an interim basis within 45 days after the day on which the request is filed...." (Emphasis added)).

DOCKET NO. 17-035-01

- 2 -

DPU to file its audit report ³	Wednesday, November 15, 2017
Testimony of all parties	Tuesday, December 19, 2017
Rebuttal testimony of all parties	Thursday, January 11, 2018
Intervention	Thursday, January 11, 2018
Surrebuttal testimony of all parties	Thursday, January 25, 2018
Hearing	Wednesday, January 31, 2018, beginning at 9:00 a.m., Fourth Floor Hearing Room 403, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah. <u>NOTE: Parties also should reserve Thursday, February 1, 2018, in the event the hearing lasts for more than one day.</u>

Also, in accordance with the Public Service Commission of Utah's (PSC) February 16, 2017 Order in Docket No. 09-035-15,⁴ the following schedule relates to the PSC's 2017 report to the Public Utilities and Technology Interim Committee:

ITEM	DEADLINE/DATE/TIME/LOCATION
Comments	Friday, September 15, 2017
Replies	Monday, October 16, 2017

Comments and reply comments filed in accordance with the above schedule should address "whether allowing an electrical corporation to continue to recover [100% of the electrical

³ See *supra* n.1 at ¶ 4 ("The DPU will . . . file its audit report by November 15[.]")

⁴ See *In the Matter of the Application of Rocky Mountain Power for Approval of its Proposed Energy Cost Adjustment Mechanism* (Order at 6, issued February 16, 2017 ("Our extension of the EBA pilot period, and the reports required by S.B. 115, require further review of the EBA. We intend to allow input and comment with respect to the 2017 and 2018 reports required by S.B. 115 during the EBA dockets for those two years. We anticipate that the scheduling conferences and scheduling orders will provide a process to accommodate that input and that the review we conduct following the December 1, 2018 report will examine whether, and in what form, an EBA should be continued.")), Docket No. 09-035-15.

corporation's prudently incurred] costs under Subsection (2)(d) [of the EBA statute] is reasonable and in the public interest.”⁵

DISCOVERY

Discovery turn-around times are: best efforts until April 19, 2017; 21 calendar days until November 15, 2017; 10 calendar days until January 10, 2018; and 7 days thereafter. Parties shall serve copies of all filings on other parties by electronic mail at or before the time an electronic copy of the document is required to be filed with the PSC. In the event a document filed with the PSC or produced in response to a discovery request cannot reasonably be transmitted by electronic mail, the party filing the document shall file an electronic copy of the document on CD (or, if an electronic copy is not available, a paper copy) with the PSC by hand delivery and shall serve an electronic copy of the document on CD (or, if an electronic copy is not available, a paper copy) on each applicable party by hand delivery if the party being served is in the same metropolitan area as the serving party, or by overnight courier if the party being served is located in a different metropolitan area from the serving party.

NOTICE OF HEARINGS

The PSC will conduct hearings in this docket on **Wednesday, April 19, 2017, beginning at 9:00 a.m.**, and on **Wednesday, January 31, 2018**. The hearings will be held in the **Fourth Floor Hearing Room 403, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah**. All parties must have their witnesses in attendance and prepared to testify. Parties also

⁵ Utah Code Ann. § 54-7-13.5(6). *See also* id. § 54-7-13.5(2)(d) (“Beginning June 1, 2016, for an electrical corporation with an energy balancing account established before January 1, 2016, the commission shall allow an electrical corporation to recover 100% of the electrical corporation’s prudently incurred costs as determined and approved by the commission[.]”).

should reserve **Thursday, February 1, 2018**, in the event the **Wednesday, January 31, 2018** hearing lasts for more than one day.

Individuals wishing to participate in the hearing by telephone should contact the PSC two days in advance by calling (801) 530-6716 or (toll-free) 1-866-PSC-UTAH (1-866-772-8824) to receive a bridge number and participant passcode. Participants attending by telephone should then call the bridge number five minutes before the hearing, entering the passcode followed by the # sign to ensure participation.

In accordance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the hearing should notify the PSC at 160 East 300 South, Salt Lake City, Utah 84111, (801) 530-6716, at least three working days prior to the hearing.

ORDER SUSPENDING TARIFF

On March 15, 2017, PacifiCorp, doing business as Rocky Mountain Power (PacifiCorp), filed proposed revisions to Electric Service Schedule No. 94, Energy Balancing Account (EBA) Pilot Program (Tariff Changes) together with its application to decrease the deferred EBA rate through the Energy Balancing Account Mechanism.⁶ According to PacifiCorp, its filing constitutes a decrease in rates.⁷

Subsection 54-7-12(5)(a) of the Utah Code provides, “[n]otwithstanding any other provisions. . . , any schedule . . . filed by a public utility with the commission that does not result

⁶ See Application, filed March 15, 2017.

⁷ See *id.* at 1 (“. . . PacifiCorp . . . [is] requesting approval to refund approximately \$6.5 million in deferred EBA [c]osts[.]”).

DOCKET NO. 17-035-01

- 5 -

in any rate increase shall take effect 30 days after the date of filing . . . subject to its authority after a hearing to suspend, alter, or modify that schedule[.]”⁸ The schedule in this docket anticipates a hearing date beyond the 30-day period contemplated in Section 54-7-15.

Accordingly, and for good cause, we suspend the Tariff Changes until further notice. This Order does not modify the schedule separately established above in this docket.

DATED at Salt Lake City, Utah, March 23, 2017.

/s/ Melanie A. Reif
Presiding Officer

Approved and Confirmed March 23, 2017 as the Order of the Public Service Commission of Utah.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DW#292460

⁸ Utah Code Ann. § 54-7-12(5)(a).

DOCKET NO. 17-035-01

- 6 -

CERTIFICATE OF SERVICE

I CERTIFY that on March 23, 2017, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Electronic-Mail:

Data Request Response Center (datarequest@pacificorp.com)
PacifiCorp

Robert C. Lively (bob.lively@pacificorp.com)
Yvonne Hogle (yvonne.hogle@pacificorp.com)
Rocky Mountain Power

Patricia Schmid (pschmid@utah.gov)
Justin Jetter (jjetter@utah.gov)
Robert Moore (rmoore@utah.gov)
Steven Snarr (ssnarr@utah.gov)
Assistant Utah Attorneys General

Erika Tedder (etedder@utah.gov)
Division of Public Utilities

By Hand-Delivery:

Office of Consumer Services
160 East 300 South, 2nd Floor
Salt Lake City, UT 84111

Administrative Assistant