

In the Matter Of:

In Re: Rocky Mountain Power - EBA

HEARING, DOCKET NO. 17-035-01

January 31, 2018

Job Number: 383268

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the) Docket No. 17-035-01
Application of Rocky)
Mountain Power to Decrease) HEARING
the Deferred EBA Rate) Job No. 383268
through the Energy)
Balancing Account)
Mechanism)

January 31, 2018

9:00 a.m.

Location: Utah Public Service Commission
160 East 300 South, 4th Floor
Salt Lake City, UT 84111

Reporter: Teri Hansen Cronenwett
Certified Realtime Reporter, Registered Merit Reporter

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A P P E A R A N C E S

Board Members:	Thad LeVar, Chairman David Clark Jordan White
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1 January 31, 2018

9:00 a.m.

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

3 COMMISSIONER LEVAR: Good morning. We're here
4 for Public Service Commission Docket 17351, the
5 application of Rocky Mountain Power to decrease the
6 deferred EBA rate through the energy balancing account
7 mechanism. Why don't we start with appearances for the
8 utility.

9 MS. HOGLE: Good morning. Yvonne Hogle on
10 behalf of Rocky Mountain Power, and with me here today
11 is Mike Wilding, our witness, who will support the
12 stipulation this morning. Thank you.

13 COMMISSIONER LEVAR: Okay. Thank you. For
14 the Division of Public Utilities?

15 MS. SCHMID: Good morning. Patricia E.
16 Schmid with the Attorney General's Office representing
17 Division of Public Utilities. With me as the division's
18 witness in support of the stipulation is David Thomson.
19 Also on the phone are the division's consultants from
20 Daymark Energy Advisors, Daniel Koehler and Phillip
21 DiDomenico. Thank you.

22 COMMISSIONER LEVAR: Thank you. For the
23 Office of Consumer Services?

24 MR. SNARR: Yes. My name is Steven Snarr. I
25 represent the Office of Consumer Services. I'm with the

1 Attorney General's office. I'm here to represent the
2 office today.

3 COMMISSIONER LEVAR: Okay. Thank you. For
4 UIEC?

5 MR. EVANS: I am William Evans for the Utah
6 Industrial Energy Consumers. I am here to verify that
7 we, although we have not signed the stipulation, we have
8 no objection or opposition to the commission accepting
9 it and here to add the appearance and verify that to the
10 commission. I can otherwise be excused if you don't
11 mind.

12 COMMISSIONER LEVAR: If that was your only
13 reason to be here, then does any -- does anyone object
14 to him being excused at this point? Okay. Thank you,
15 Mr. Evans.

16 MR. EVANS: All right. Thank you.

17 COMMISSIONER LEVAR: And then before we move
18 forward with witnesses, is there any objection to having
19 witnesses present just from where they are sitting and
20 saving any potential questions from us until the end?
21 And I guess, rolled into that question is whether there
22 is any intended cross-examination.

23 So Ms. Hogle, do you have any objection to
24 moving forward that way?

25 MS. HOGLE: I have no objection, and I'd like

1 to move for the admission of all of the testimony filed
2 in the case consistent with the language in the
3 stipulation.

4 COMMISSIONER LEVAR: Okay. That applies to
5 all parties' testimony?

6 MS. HOGLE: It does.

7 COMMISSIONER LEVAR: Okay. Any objection to
8 that motion? Okay. That motion is granted. And then
9 any further objection to proceeding in the way we just
10 described? Okay. I am not seeing any, so we'll go to
11 Ms. Hogle.

12 MS. HOGLE: Thank you. The company calls Mike
13 Wilding. Good morning, Mr. Wilding.

14 THE WITNESS: Good morning.

15 MS. HOGLE: Can you please state your name and
16 your position with Rocky Mountain Power for the record?

17 THE WITNESS: Yes. My name is Michael G.
18 Wilding. I am the manager of Net Power Cost.

19 COMMISSIONER LEVAR: And if I could just swear
20 you in. Mr. Wilding, do you swear to tell the truth?

21 THE WITNESS: Yes.

22 COMMISSIONER LEVAR: Okay. Thank you.

23 MICHAEL G. WILDING,
24 called as a witness at the instance of Rocky Mountain
25 Power, having been first duly sworn, was examined and

1 testified as follows:

2 DIRECT EXAMINATION

3 BY MS. HOGLE:

4 Q. And in that capacity did you file direct and
5 response testimony and attached exhibits in support of
6 the company's application?

7 A. Yes.

8 Q. And do you have any changes to that testimony?

9 A. No.

10 Q. And do you have a summary that you would like
11 to provide to the commission this morning?

12 A. Yes.

13 Q. Please proceed.

14 A. Thank you. Good morning, Commissioners. On
15 March 15th, 2017, Rocky Mountain Power filed its EBA
16 application to refund to customers approximately 6.5
17 million dollars in deferred EBA cost. That 6.5 million
18 dollars includes the following components:

19 A credit of 11.3 million dollars for deferred
20 net power cost and wheeling revenues, a credit of 2.9
21 million dollars in retiree medical benefit obligation
22 savings related to the Deer Creek Mine closure, a credit
23 of .7 million dollars in coal fuel expense savings also
24 related to the Deer Creek Mine closure, a credit of .5
25 million dollars of interest accrued through April of

1 2017, a credit of .2 million dollars related to an
2 adjustment for sales made to special contract customer,
3 and a cost of 9.1 million dollars for the Deer Creek
4 Mine amortization expense.

5 The refund to Utah customers of 6.5 million
6 dollars was used to offset the Energy Balancing Account
7 in April of 2017, and the current EBA rate is set at
8 zero cents per kilowatt hour.

9 On November 15, 2017, the Division of Public
10 Utilities issued its audit report of the EBA and
11 proposed a reduction in the company's application of
12 approximately 8.3 million dollars related to the
13 recovery and abandonment costs of the Joylong Wall at
14 the Bridger Coal Mine and also the replacement power
15 costs associated with 14 plant outages.

16 On December 19th, 2017, the company filed
17 testimony responding to the EBA's -- to the DPU's EBA
18 audit report, and on that same date the Office of
19 Consumer Services and UAE also filed direct testimony
20 supporting the DPU's adjustment related to the Joylong
21 Wall.

22 On January 22nd, 2018, the parties met and
23 engaged in settlement discussions and agreed to the
24 terms and conditions set forth in the settlement
25 stipulation which was filed at the commission on January

1 30th, 2018. The proposed settlement results in an
2 additional refund to Utah customers of 2.8 million
3 dollars, and this is in addition to the company's
4 initial EBA application, and settles all issues.

5 That additional 2.8 million dollars that will
6 be refunded to the customers will be carried forward in
7 the balancing account and will be applied against the
8 2018 EBA filing, which will be made on March 15th, 2018.

9 The settlement stipulation was signed by the
10 four parties, including Rocky Mountain Power, the Utah
11 Division of Public Utilities, the Office of Consumer
12 Services, and the Utah Association of Energy Users. And
13 then as we heard this morning, the Utah Industrial
14 Energy Consumers did not sign the stipulation, but they
15 do not oppose it.

16 This settlement was negotiated in good faith
17 and is in the public interest, and for that reason, the
18 company respectfully requests that the commission
19 approve this settlement, all its terms and conditions.
20 Thank you.

21 MS. HOGLE: Thank you. The witness is
22 available for cross-examination.

23 COMMISSIONER LEVAR: Okay. Does the division
24 or the office have any questions for this witness?
25 Okay. I think we'll save any possible commission

1 questions to the end. Do you have anything further,
2 Ms. Hogle?

3 MS. HOGLE: I do not. Thank you.

4 COMMISSIONER LEVAR: Okay. Thank you.
5 Ms. Schmid?

6 MS. SCHMID: Good morning. The division's
7 witness in support of the stipulation is Mr. David
8 Thomson. May he please be sworn?

9 COMMISSIONER LEVAR: Sure. Mr. Thomson, do
10 you swear to tell the truth?

11 THE WITNESS: Yes.

12 COMMISSIONER LEVAR: Thank you.

13 DAVID T. THOMSON,
14 called as a witness at the instance of the Utah Division
15 of Public Utilities, having been first duly sworn, was
16 examined and testified as follows:

17 DIRECT EXAMINATION

18 BY MS. SCHMID:

19 Q. Could you please state your full name, title,
20 employer and business address for the record.

21 A. Yes. My name is David T. Thomson. I am a
22 utility technical consultant.

23 COMMISSIONER LEVAR: I think your microphone
24 is not on.

25 A. Oh, okay. I'll start over. My name is David

1 T. Thomson. I am a tech -- a utility technical
2 consultant for the Division of Public Utilities, and I
3 participate in this docket on behalf of the division.
4 My business address is 160 East 300 South, Salt Lake
5 City, Utah, 84111.

6 Q. (By Ms. Schmid) Thank you. Did you prepare
7 and cause to be filed your direct testimony and your
8 rebuttal testimony?

9 A. Yes, I did.

10 Q. These previously have been admitted into the
11 record on the motion of the company. With that, do you
12 have any changes or corrections to your testimony?

13 A. I do not.

14 Q. Do you have a statement in support of the
15 stipulation?

16 A. Yes, I do.

17 Q. Please proceed.

18 A. Good morning, Commissioners, and thank you for
19 the opportunity to express the division's support of the
20 stipulation signed by the parties in this docket. The
21 division believes that stipulation, including the
22 agreed-upon recovery of \$2,800,000, is in the public
23 interest.

24 The final recovery amount of approximately 9.4
25 million for the 2 -- for the 2016 EBA costs consists of

1 the company's original reduction to net power costs of
2 approximately 6.5 million dollars and for an additional
3 reduction adjustment of \$2,800,000.

4 The company has already discussed the history
5 and the details of the stipulation. On behalf of the
6 division, I would like to note a few specific sections
7 of the stipulation.

8 As per Section 4 of the stipulation, in its
9 confidential audit report the division recommended
10 further reduction to the Energy Balancing Account costs
11 of approximately 8.4 million. This amount consisted of
12 an adjustment to replacement power costs of
13 approximately .2 million for 14 outages and an
14 adjustment to the recovery and abandonment cost related
15 to the Joylong Wall of approximately 8.2 million.

16 As per Section 7 of the stipulation, signers
17 to the stipulation have agreed to a black box adjustment
18 reducing the original cost -- filed costs an additional
19 2.8 million dollars. The division supports Section 8
20 which explains the future rate treatment of the
21 adjustment amount. And that concludes my statement.

22 **Q. Thank you.**

23 MS. SCHMID: Mr. Thomson is available for
24 cross-examination and questions from the commission.

25 COMMISSIONER LEVAR: Okay. Thank you. Do any

1 other parties have any questions for Mr. Thomson? Okay.

2 MS. SCHMID: The division's consultants from
3 Daymark Energy Advisors, Dan Koehler and Phillip
4 DiDomenico are also on the phone. Would you like them
5 sworn in case the commission has any questions for them?

6 COMMISSIONER LEVAR: We can swear them in if
7 we do have questions, I think.

8 MS. SCHMID: Okay. Thank you. With that, the
9 division is finished.

10 COMMISSIONER LEVAR: Okay. Thank you.
11 Mr. Snarr?

12 MR. SNARR: Yes. Thank you. Representatives
13 of the Office of Consumer Services have participated in
14 this proceeding, have reviewed the filings made by other
15 parties, have been involved in the negotiations leading
16 to this settlement and wholly support this settlement as
17 indicated by the signature of the director, Michele Beck
18 on the stipulated document. So we are here to support
19 the stipulation.

20 COMMISSIONER LEVAR: Okay. Thank you.
21 Anything else from any other party? I am not seeing
22 anything. Commissioner White, do you have any questions
23 for any of the witnesses?

24 COMMISSIONER WHITE: I don't. Thank you.

25 COMMISSIONER LEVAR: Commissioner Clark?

1 COMMISSIONER CLARK: No questions. Thank you
2 very much.

3 COMMISSIONER LEVAR: Just one minor question,
4 I think, for -- first for the utility. The way this is
5 crafted with the 2.8 rolling to the next EBA, if this
6 stipulation is approved, there's not a need for
7 compliance tariff filing, is there? Or am I missing
8 something?

9 THE WITNESS: That would be correct. The only
10 issue that we have is the DPU asked for some adjustments
11 to the tariff to some of the language surrounding the
12 EBA process which we agreed to. And so could still make
13 that filing or do it with the EBA in 20 -- when we make
14 the filing in just a couple months.

15 COMMISSIONER LEVAR: Okay. Thank you.

16 THE WITNESS: We can do that either way.

17 COMMISSIONER LEVAR: Does the division have a
18 preference?

19 MR. THOMSON: Yes. That's my understanding.
20 There would be one when they file in March.

21 COMMISSIONER LEVAR: When they file in March.
22 Anything further from anyone? Ms. Hogle?

23 MS. HOGLE: Yes. Thank you. I respectfully
24 request the bench order approving the stipulation, given
25 there is no opposition and I believe no cleanup items.

1 Thank you.

2 COMMISSIONER LEVAR: Does anyone want to speak
3 to the motion?

4 MS. SCHMID: No objection.

5 COMMISSIONER LEVAR: Mr. Snarr?

6 MR. SNARR: We have no objection.

7 COMMISSIONER LEVAR: Okay. Do either of you
8 have any questions with respect to the motion,
9 Mr. Clark?

10 COMMISSIONER CLARK: No. I don't have any
11 questions.

12 COMMISSIONER LEVAR: Mr. White?

13 COMMISSIONER WHITE: No, no questions, thanks.

14 COMMISSIONER LEVAR: Why don't we take a very
15 brief recess then. I don't even want to put a time
16 frame on it because I don't think it will be very long
17 at all. So we will be in recess, and we'll be right
18 back. Thanks.

19 (Recess from 9:12 a.m. to 9:14 a.m.)

20 COMMISSIONER LEVAR: Okay. We're back on the
21 record. And based on the stipulation as been filed and
22 the testimony that's been presented to us, and
23 particularly based on the representations in paragraph
24 10 where all of the signing parties agree that this
25 stipulation as a whole is just and reasonable and will

1 result in the public interest, we find that this
2 stipulation is just and reasonable and result in the
3 public interest.

4 We conclude that this stipulation is
5 consistent with the EBA statute and any other relevant
6 statutes and rules, and we approve the stipulation. And
7 an order memorializing that approval will issue shortly.
8 And not seeing anything further, we're adjourned. Thank
9 you.

10 MS. SCHMID: Thank you.

11 (The hearing concluded at 9:14 a.m.)

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C E R T I F I C A T E


STATE OF UTAH)
COUNTY OF SALT LAKE)

THIS IS TO CERTIFY that the foregoing proceedings were taken before me, Teri Hansen Cronenwett, Certified Realtime Reporter, Registered Merit Reporter and Notary Public in and for the State of Utah.

That the proceedings were reported by me in Stenotype, and thereafter transcribed by computer under my supervision, and that a full, true, and correct transcription is set forth in the foregoing pages, numbered 3 through 17 inclusive.

I further certify that I am not of kin or otherwise associated with any of the parties to said cause of action, and that I am not interested in the event thereof.

WITNESS MY HAND and official seal at Salt Lake City, Utah, this 8th day of February, 2018.


Teri Hansen Cronenwett, CRR, RMR
License No. 91-109812-7801

My commission expires:
January 19, 2019

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