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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

<p>APPLICATION OF ROCKY MOUNTAIN POWER FOR APPROVAL OF A SIGNIFICANT ENERGY RESOURCE DECISION AND REQUEST TO CONSTRUCT WIND RESOURCE AND TRANSMISSION FACILITIES</p>	<p>Docket No. 17-035-40</p> <p>OBJECTION TO THE COMPLETENESS OF ROCKY MOUNTAIN POWER'S FILING.</p>
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Pursuant to Utah Code Ann. § 54-4a-1 and Utah Admin. Code r.746-1, the Division of Public Utilities (“Division”) submits its Reply in Support of its Objection to Completeness. Despite its defense of its filing, Rocky Mountain Power’s (“RMP”) application remains incomplete. The Division cannot evaluate the Application without a complete transmission study. The Commission should require a complete filing before proceeding with this docket.

INTRODUCTION

On February 13, 2018, the Public Service Commission of Utah (“Commission”) issued an Order Granting Motion to Vacate Remaining Schedule and Amended Scheduling Order. In that Order the Commission directed parties to file any objections to the completeness RMP’s Filing

by March 9, 2018. The Division filed on that date. On March 19, 2018 RMP filed its Response in Opposition to the Division of Public Utilities' Objection to Completeness.

DISCUSSION

I. The Minimum Required Information to Evaluate a Request for Approval of a Resource Decision is Not an Argument on the Merits.

The Division is not arguing the merits of the proposed resource decision in objecting to the completeness of RMP's filing. The Division agrees with the Commission and RMP that an application "should be granted or denied on the merits..." when doing so is possible.

Unnecessarily delaying the process with procedural challenges is not in the public interest.

However, the procedural requirements were created for good reason. An incomplete request does not allow the parties or the Commission an opportunity to review the merits.

RMP asserts that "the DPU points to no statute or rule that requires the specific transmission study..." while on the same page also claiming that the DPU objection "violates the Commission's clear direction... reserv[ing] all arguments on the merits."¹ Referring to "merits," RMP conflates two concepts; information required to review an Application in a meaningful way as compared with the matter of whether a proposed resource decision is in the public interest. The two uses of the term "merits" are quite different.

The Division's Objection to Completeness did not argue the merits of whether the proposed project is in the public interest nor whether the assumptions relied upon by RMP are reasonable or accurate. Rather the Division was explaining in brief detail the missing information necessary to begin the process of evaluating the merits of the proposed resource decision. The two are different concepts.

¹ RMP's Response at 2.

The Rule is broad enough to cover many resource types and cannot be reasonably expected to delineate every specific detail of a complete filing. The evaluation of completeness requires an inquiry into the nature of the resource and the type and quality of information that would be reasonably necessary to evaluate the request. When describing the information that is necessary for a complete filing it is reasonable that the Division give at least some level of detail of what is missing and why it is required for a review. Indeed, had the Division not done so, RMP could have argued the Division inadequately explained why the information was necessary.

II. Under Utah Law and Administrative Rule a Complete Transmission Study is Required for the Request for Approval of a Transmission Resource Decision.

RMP filed its Application under Utah Code Ann § 54-17-302. Section 302 requires that the Commission determine whether the energy resource decision is “in the public interest, taking into consideration” factors such as “whether it will most likely result in the acquisition, production, and delivery of electricity at the lowest reasonable cost to the retail customers of an affected electrical utility located in this state.” It further requires the Commission to include in its order “findings as to the total projected costs for construction or acquisition of an approved significant energy resource; and the basis upon which the findings ... are made.”² The plain language of the statute requires, at a minimum, total projected costs and the basis for those costs.

Similarly, Utah Admin. Code r.746-440 sets forth the filing requirements. Among those is r.746-440-1(1)(f) that requires “[s]ufficient data, information spreadsheets, and models to permit an analysis and verification of the conclusion reached... by the Energy utility.” RMP asserts that this requirement is satisfied because its witness Mr. Link testified that “power flow

² *Id.*

studies demonstrate that [RMP] can interconnect the wind projects.”³ RMP then points to a variety of other studies that have been performed and provided showing the capacity for 1,510MW of incremental wind generation interconnection.

What RMP does not address is the fact that its witness also testified “PacifiCorp completed power flow and dynamic-stability studies to refine its Aeolus-to-Bridger/Anticline Line assumptions. These studies ... suggested that it could enable up to 1,270 MW of new resource interconnections.”⁴ Two seemingly similar studies differed by 19%. The conclusion that can be drawn from these inconsistent preliminary power flow study results is that they are only preliminary. While they give a general idea of the capacity, the updated analysis remains incomplete.

RMP also recognizes its transmission information is incomplete. It states that the dynamic stability analysis will be updated for the parties by March 30, 2018 and included in RMP’s final round of testimony.⁵ The fundamental flaw in this defense of the filing is that the transmission study is part of the “[s]ufficient data, information spreadsheets, and models to permit an analysis and verification of the conclusion reached” that is required to be included in a request for approval.⁶ When a utility is requesting approval of a transmission resource, a complete transmission study is more than a minor detail that may be completed at RMP’s discretion sometime during the docket’s fact-finding phase, depriving others of reasonable time to review the information and its effect on the broader request.

³ RMP Response at 2.

⁴ Link Direct Testimony at lines 156-60.

⁵ RMP Response at 4.

⁶ Utah Admin Code r.746-440-1(1)(f).

A completed transmission study is fundamental to a request for a resource decision for a transmission project. While it may not be specifically identified in a statute that applies to a multiple types of resource decisions, it is well within the contemplation of both the statute and administrative rules as part of a complete request. It is not reasonably possible to know the project costs without knowing the final transmission capacity. Lack of a completed transmission study as explained in the DPU's Objection to Completeness means that the appropriate project size is still uncertain.

The Division has already expended significant resources analyzing prior iterations of this shifting resource proposal. The procedural requirements should not prevent review of the merits of a resource decision. They are instrumental in allowing such a review. A complete transmission study is required to meet the statutory review requirements and is a necessary part of a complete filing. Analysis and verification of the conclusions reached by RMP cannot be made without it.

CONCLUSION

The Application remains deficient of a complete transmission study. Given the importance of this analysis, the Division cannot fully evaluate the Application without complete and final studies supporting the increase in east-to-west transfer capability and enabled incremental wind capacity. The Commission should find that the Application is not complete. The Commission should order that RMP file the study by March 30, 2018, as promised. The Commission should further order that any party may file a request by April 6, 2018, to extend the period for review of the project if the party believes the additional time is necessary to fully evaluate the study and its effect on the application. RMP's conduct in this matter has strained regulatory resources for nearly a year yet it still has not provided a key study with mere weeks

before others must complete testimony. It cannot now argue that others threaten to derail the proposed project with procedural delay, particularly when it could proceed with the project without the Commission's approval. If it wishes others' support for the project, it should provide the necessary information and a reasonable time to review it.

Submitted this 26th day of March 2018.

/s/ Justin C. Jetter

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