
Application of Rocky Mountain Power to
Establish Export Credits for Customer
Generated Electricity

DOCKET NO. 17-035-61

ORDER DENYING JOINT MOTION TO
AMEND SCHEDULING ORDER AND
GRANTING REQUEST FOR TECHNICAL
ASSISTANCE

ISSUED: January 25, 2019

Procedural Background and Parties' Positions

Moving Parties' Joint Motion

On November 30, 2018, Utah Clean Energy, Vote Solar, Vivint Solar, the Utah Solar Energy Association, and Auric Solar (collectively, the Moving Parties) filed a joint motion with the Public Service Commission of Utah (PSC) to amend the Scheduling Order and request technical assistance (Joint Motion) in this docket.¹ The Joint Motion requests the schedule in this docket be amended to include two or more technical conferences in the first half of 2019.² The technical conferences are proposed to provide an opportunity for an independent expert (or experts) to present to the parties involved in this docket and the PSC on matters the Moving Parties claim to be relevant to this docket (i.e., Phase II of the Solar Export Credit proceeding).³ In particular, the Moving Parties request the PSC sponsor technical conferences where subject matter experts from Lawrence Berkeley National Laboratories (LBNL) may provide no-cost technical assistance.⁴ The Moving Parties express that their Joint Motion is consistent with the

¹ See Joint Motion to Amend Scheduling Order and Request for Technical Assistance, filed November 30, 2018, available at: <https://pscdocs.utah.gov/electric/17docs/1703561/305715JntMotAmndSchedOrdandReqTechAssit11-30-2018.pdf>.

² See *id.* at 1.

³ See *id.*

⁴ See *id.* at 1-2. See also *id.* at 4. According to the Moving Parties, once a request is initiated with LBNL, LBNL may then refer portions of the request to other resources such as the U.S. Department of Energy Office of Science, the U.S. Department of Energy National Renewable Energy Laboratory, and the U.S. Department of Energy Pacific Northwest National Laboratory. See *id.*

Settlement Stipulation filed and approved in Docket No. 14-035-114 wherein the parties agreed the following would occur in this proceeding:

...the [PSC] will determine a just and reasonable rate for export credits for customer generated electricity. Parties may present evidence addressing reasonably quantifiable costs or benefits or other considerations they deem relevant, but the Party asserting any position will bear the burden of proving its assertions (for example, parties may present evidence addressing the following costs or benefits: energy value, appropriate measurement intervals, generation capacity, line losses, transmission and distribution capacity and investments, integration and administrative costs, grid and ancillary services, fuel hedging, environmental compliance, and other considerations).⁵

According to the Moving Parties, technical assistance from the subject matter experts will provide “a robust understanding of the current methods for quantifying and valuing the costs and benefits of distributed solar, which are . . . [rapidly] evolving as solar equipment and software is increasingly configured to meet new standards regarding the interconnection of solar (for example, IEEE-1547-2018) or new goals for end-use customers (for example, solar paired with battery storage). . . . A fair export credit rate that is representative of the true value of exported energy must account for all costs and benefits associated with modern solar technology. To that end, the parties would benefit from a common understanding of the technical capabilities of distributed solar technology today to better understand what costs, benefits, and information should be considered in the valuation process. . . .”⁶ Accordingly, the Moving Parties request the PSC initiate the technical assistance of LBNL.⁷ As explained in the Joint Motion, a request for technical assistance is initiated by filling out the OE Technical Assistance Request Form (TA Request Form) located at: <https://emp.lbl.gov/research/technical-assistance-states>.⁸ Some topics

⁵ *Id.* at 2.

⁶ *Id.* at 3.

⁷ *See id.* at 4.

⁸ *See id.* at 5 n.4.

the Moving Parties suggest for consideration are: 1) Potential costs associated with integration of distributed solar energy on the distribution and transmission system at varying levels of penetration; 2) Impact of distributed solar on transmission and distribution line losses; 3) Potential for distributed solar to impact timing and need for capital investments on the distribution and transmission system; 4) Other distribution-level costs and benefits attributable to distributed solar, including locational costs and benefits; 5) Impact of other distributed technologies in conjunction with distributed solar; 6) Short-term vs. long-term evaluations of the costs and benefits of distributed solar; 7) Measurement intervals for netting of solar electricity; 8) Ancillary services provided by distributed generation, including voltage and frequency regulation; and 9) Other topics, as requested by the PSC or other parties.⁹

OCS's Response

On December 17, 2018, the Office of Consumer Services (OCS) filed a response to the Joint Motion.¹⁰ The OCS does not oppose the Joint Motion in principle and believes technical assistance may be useful if questions posed to a proposed expert in this docket are narrowly tailored to address specific costs and benefits of distributed solar, and are not duplicative of the evidence and argument already at the parties' disposal.¹¹ The OCS specifically states that, given the progress already made in this and other dockets, "a survey of other state's approaches to valuing exported solar energy would not be helpful."¹² In addition, the OCS adds that expert analysis of some of the issues mentioned in the Joint Motion would not be of value, such as the

⁹ See *id.* at 5-6.

¹⁰ See Response to Joint Motion to Amend Scheduling Order and Request for Technical Assistance, filed December 17, 2018, available at: <https://pscdocs.utah.gov/electric/17docs/1703561/305878RespJtMotAmenSchedOrdr12-17-2018.pdf>.

¹¹ See *id.* at 1-2.

¹² *Id.* at 2-3.

“measurement of intervals for netting of solar electricity.”¹³ In contrast, the OCS supports “technical assistance focused on specific methods to calculate potential benefits and costs associated with rooftop solar, including the appropriate data to seek and collect[.]”¹⁴ The OCS recognizes that the PSC is the only entity with authority to request LBNL’s assistance and, in making this request, the OCS urges the PSC to craft the request to ensure it is not overly broad, irrelevant, or duplicative.¹⁵

PacifiCorp’s Response

On December 17, 2018, PacifiCorp filed a response to the Joint Motion.¹⁶ PacifiCorp asks the PSC to deny the Moving Parties’ motion to amend the Scheduling Order and takes no position on the Moving Parties’ request for technical assistance.¹⁷ According to PacifiCorp, it is not necessary to amend the Scheduling Order in this docket because that order already includes a reference to informal meetings and discussions.¹⁸

In addition, PacifiCorp urges the PSC to continue its practice of not participating in informal meetings and to exclude from the record materials provided at such meetings.¹⁹ PacifiCorp references the Scheduling Order in the Net Metering Docket No. 14-035-114 where the PSC stated that “[n]either the [PSC] nor its staff will participate in the workshop meetings . . .” and that “the content or the materials provided at such meetings will not become part of the

¹³ *Id.* at 3.

¹⁴ *Id.*

¹⁵ *See id.*

¹⁶ *See* Response to Joint Motion to Amend Scheduling Order and Request for Technical Assistance, filed December 17, 2018, available at:

<https://pscdocs.utah.gov/electric/17docs/1703561/305880RMPRespJtMotAmendSchedOrdr12-17-2018.pdf>.

¹⁷ *See id.* at 2.

¹⁸ *See id.*

¹⁹ *See id.*

record in [Docket No. 14-035-114].”²⁰ PacifiCorp concludes by stating, “Parties have the opportunity to include any materials from the informal technical workshops in their testimony which will be reviewed and considered in the evidentiary hearing and be subject to cross examination.”²¹

Other parties

No other party filed a response to the Joint Motion, and the deadline for doing so has elapsed.²²

Moving Parties’ Reply

On December 27, 2018, the Moving Parties filed a joint reply to the OCS’s and PacifiCorp’s responses.²³ The Moving Parties agree with the OCS that the PSC is the gatekeeper of information that is of value to this process, and they emphasize that information from LBNL will be useful to all parties during Phase II of this docket.²⁴ The Moving Parties also express a desire to work collaboratively with other parties to this docket to further refine the scope of information to be presented by LBNL at the technical conferences.²⁵ The Moving Parties further argue that the PSC should not limit the scope of the technical assistance to be provided by LBNL and states that doing so would: “prevent[] . . . parties from obtaining information that they find relevant for purposes of calculating the export credit.”²⁶ According to the Moving Parties, “it is

²⁰ *Id.* at 2-3.

²¹ *Id.* at 3.

²² *See* Utah Admin. Code R746-1-301(1).

²³ *See* Joint Reply to the Office of Consumer Service’s [sic] and Rocky Mountain Power’s response to Joint Motion to Amend Scheduling Order and Request for Technical Assistance, filed December 27, 2018, available at: <https://pscdocs.utah.gov/electric/17docs/1703561/306031JntRplytoOCSandRMP'sresp12-27-2018.pdf>.

²⁴ *See id.* at 2.

²⁵ *See id.* at 3.

²⁶ *Id.*

critical that the technical assistance provider be a third-party entity who is not a party to the docket and is not employed by one of the participating parties.”²⁷

Regarding PacifiCorp’s position that it is not necessary to amend the Scheduling Order, the Moving Parties note they initially expressed agreement with holding informal workshops and meetings at the January 10, 2018 scheduling conference. However, since then, the Moving Parties assert “there have been no productive informal meetings or workshops despite [their] best efforts to facilitate [such] meetings.”²⁸ The Moving Parties further assert that, “[a]t the first scheduled informal workshop, [PacifiCorp] would not respond to any of the [Moving Parties’] questions out of a reluctance to be subject to live discovery. The second informal workshop, scheduled for May 22, was cancelled.”²⁹ Since then, the Moving Parties assert they have proposed scheduling a technical workshop where a third-party expert who is not a party to this docket, such as LBNL, could provide technical assistance. However, in working with the Division of Public Utilities (DPU) to schedule such a meeting, the Moving Parties became aware that the PSC’s administrative assistance would be needed to receive LBNL’s technical assistance.³⁰ The Moving Parties assert “that technical conferences are the best avenue for all parties to develop a common understanding of the issues relevant to Phase II [of this docket], without subjecting any party to live discovery.”³¹ The Moving Parties further note that technical conferences are standard practice and should be allowed here “to provide all parties with [the]

²⁷ *Id.*

²⁸ *Id.* at 4.

²⁹ *Id.* at 4.

³⁰ *See id.*

³¹ *Id.* at 5.

technical assistance [of LBNL, which] . . . provides free, objective expertise . . . on relevant technical capabilities and methods[.]”³²

Concerning PacifiCorp’s objection to the PSC participating in informal technical workshops and excluding any materials provided at those meetings from the record, the Moving Parties note, “the [PSC] has already expressed its desire to help develop an objective record through technical conferences. In the Phase I order [in this docket], the [PSC] expressed a willingness to host a [PSC]-sponsored technical conference to assist parties who wish to construct their own load-research study sample.”³³ In this phase of the docket, the Moving Parties note they are requesting something similar.³⁴

Findings and Conclusions

1. Moving Parties’ Request for Technical Assistance

No party has opposed the Moving Parties’ Joint Motion to apply for LBNL’s technical assistance in this docket, through the assistance of the PSC. Accordingly, we find the Moving Parties’ request reasonable and grant that part of their Joint Motion. In our Phase I Order in this docket, we stated: “Given that parties disagree about the type, scope, and purpose of information needed [in this docket] . . . , parties must proceed to develop evidence and information on their own. . . . This order does not preclude a party from challenging an issue during Phase II based on an alleged deficiency in the [load-research study].” Phase I Order at 17-18, issued May 21, 2018. We find this approach still relevant and conclude the parties should continue to proceed based on those existing guidelines. Accordingly, because any party may choose to present information

³² *Id.*

³³ *Id.*

³⁴ *See id.*

from LBNL in this proceeding,³⁵ we are providing a comment period to allow input into the scope of the application to LBNL.

2. *Moving Parties' Motion to Amend Scheduling Order*

We conclude that the existing Scheduling Order already contemplates informal meetings in addition to the other items in the schedule, and we conclude it is unnecessary to amend the Scheduling Order to accommodate the information to be presented by LBNL. As is normal protocol for informal meetings between parties, personnel from the PSC will not attend or participate in the LBNL presentations. A typical technical conference involves discussion of an application that has already been filed with the PSC, usually accompanied by testimony, and therefore the PSC participates as part of a process designed to help all parties, and the PSC, better understand the application and testimony that have been filed with the PSC. In this instance, where the load-research study is still in process and the application to LBNL does not contemplate LBNL personnel participating as witnesses in a future hearing, we conclude that this approach best preserves any potential evidentiary or admissibility disputes to be resolved at the proper time, and avoids those issues during the LBNL presentations to parties. We request that the DPU assist with the logistics of setting up the informal meetings, which may take place in the PSC conference room or hearing rooms if that is determined to be the most convenient for all parties.

³⁵ The admissibility into evidence of any information presented from LBNL will not be ripe for decision unless or until a party attempts to present all or part of that information. This order may not be interpreted to have prejudged any evidentiary or admissibility issue.

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ORDER

For the foregoing reasons, the PSC denies the Joint Motion to Amend the Scheduling Order and grants the Joint Motion for Request for Technical Assistance in this docket. Consistent with our order:

No later than thirty (30) days after this Order (but sooner if the Moving Parties choose to do so), the Moving Parties shall a) identify the appropriate LBNL staff member to whom the TA Request Form should be sent, and b) complete the attached TA Request Form, from item #3 (Points of Contact) through the remainder of the form.

Within fifteen (15) days after the Moving Parties file a completed TA Request Form with the PSC, other parties may submit comments on the scope and any recommended changes to the TA Request Form. The Moving Parties may submit any response within ten (10) days after those comments and recommendations.

DATED at Salt Lake City, Utah, January 25, 2019.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#306375

Department of Energy | Office of Electricity
ELECTRICITY POLICY TECHNICAL ASSISTANCE PROGRAM
TA Request Form

The Office of Electricity (OE) provides independent and unbiased technical support to states, regions, and Tribes on their electricity-related policies through its Electricity Policy Technical Assistance Program. Types of assistance offered and activities supported include: analysis assistance; stakeholder-convened discussions; education and training through workshops and webinars; consultations with technical experts. Technical assistance is provided through national laboratories, regional and national associations of state decision-makers, and federal government staff. OE provides technical assistance in response to requests from eligible entities. For more information, please visit the program website: <http://energy.gov/oe/services/electricity-policy-coordination-and-implementation/electricity-policy-technical>.

Lawrence Berkeley National Laboratory (LBNL), on behalf of OE, provides objective technical assistance, upon request, to state regulatory commissions, state energy offices, tribes and regional entities. Topics of interest include, but are not limited to: transmission and electric system resource planning; reliability and resiliency; demand response and smart grid; regulated utility business models; integrating variable generation; rate-payer funded energy efficiency; electric sector interdependencies (e.g., gas-electric, water, transportation); environmental regulations; and resource diversity.

To help OE and LBNL better understand your inquiry, please provide us with the information identified on the following page. The OE and LBNL contacts provided below are available to answer questions. OE and LBNL will review the information submitted and respond to your request.

Please direct questions and send requests to the appropriate LBNL subject matter expert listed below:

Energy Efficiency

Lisa Schwartz
LCSchwartz@lbl.gov
510-486-6315

Fossil Generation

Pete Larsen
PHLarsen@lbl.gov
510-486-5015

Regional Planning/Transmission

Peter Larsen
PHLarsen@lbl.gov
510-486-5015

Renewables

Ryan Wisner
RHWisner@lbl.gov
510-486-5474

Smart Grid and Demand Response

Peter Cappers
PACappers@lbl.gov
315-637-0513

OE PROGRAM STAFF: Larry Mansueti, Lawrence.Mansueti@hq.doe.gov, 202-586-2588

Utility Business Models

Andrew Satchwell
ASatchwell@lbl.gov
(510) 486-6544

Grid Modernization and Other Electricity System Decision-Making Issues

Lisa Schwartz
LCSchwartz@lbl.gov
510-486-6315

OE PROGRAM STAFF:

Larry Mansueti
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202-586-2588

Department of Energy | Office of Electricity
ELECTRICITY POLICY TECHNICAL ASSISTANCE PROGRAM
TA Request Form

Please include all of the below information in your TA Request and forward it to the appropriate LBNL staff member listed on the previous page.

DATE OF REQUEST

ORGANIZATIONS REQUESTING ASSISTANCE (Name, location, address)

POINTS OF CONTACT

1. Primary senior official point of contact for requesting agency (e.g., lead utility commissioner for project) - *(Name, title, phone number and email address)*
2. Primary staff points of contact for requesting agency - *(Names, titles, phone numbers and e-mail addresses)*
3. Primary contacts for other involved state agencies or stakeholders (one contact for each) - *(Names, titles, phone numbers and e-mail addresses)*

JUSTIFICATION (provide 2-3 paragraphs that describe the following):

1. What is the issue/question/task you are working on?
2. What is your role in addressing that issue/question/task? Who else are you working with (their roles)?
3. What challenges have you identified in your efforts that you think OE can help address?
4. How will the technical assistance provided inform your issue/question/task?

DESIRED OUTCOMES: What do you hope to learn/accomplish through the requested technical assistance?

BENEFITS/VALUE-ADDED: How will the requested technical assistance affect your organization's ability to achieve its objectives/goals?

TYPE OF TECHNICAL ASSISTANCE REQUESTED (Choose all that apply):

- Consultation
- Presentation(s)
- Support for workshops, collaboratives (e.g., stakeholder-convened, technical expert participation)
- Technical review of legislation, commission policies, guidelines
- General information to inform the development of rules, regulations, guidelines
- Uncertain about what type of assistance is required
- Other (Specify): _____

KEY TASKS AND DELIVERABLES:

To the extent known, or in consultation with the appropriate OE or LBNL contact, please identify any key tasks and/or deliverables and any time sensitivities related to your request in the table below (including for the above checked services/products requested).

Service/Product	Requested TA Delivery Date	Project Deadline, if Applicable

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I CERTIFY that on January 25, 2019, a true and correct copy of the foregoing was served upon the following as indicated below:

By E-Mail:

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

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