

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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

)
) Docket No. 17-035-61 Phase II
)
) Surrebuttal Testimony
) Of Michele Beck
) On behalf of the
) Office of Consumer Services
)

September 15, 2020

1 **Q. WHAT IS YOUR NAME, OCCUPATION AND BUSINESS ADDRESS?**

2 A. My name is Michele Beck. I am the director of the Utah Office of
3 Consumer Services (OCS). My business address is 160 East 300 South,
4 Salt Lake City, Utah.

5 **Q. HAVE YOU PREVIOUSLY TESTIFIED IN THIS PHASE OF THE**
6 **INSTANT DOCKET?**

7 A. Yes. I filed rebuttal testimony. Also, as I indicated in that rebuttal testimony
8 I will adopt the direct testimony of Ms. Cheryl Murray filed on behalf of the
9 OCS on March 3, 2020.

10 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

11 A. My testimony will do the following:

- 12 • Clarify the OCS position regarding netting interval in response to
13 Vivint Solar witness Christopher Worley's rebuttal testimony;
- 14 • Respond to Vivint Solar's objections to RMP's proposed metering
15 fee, also raised in Dr. Worley's rebuttal testimony;
- 16 • Clarify the OCS principles articulated in direct testimony in
17 response to Vivint Solar witness Dr. Worley's rebuttal testimony;
- 18 • Raise a concern about Utah Clean Energy's rebuttal position
19 regarding a return to net metering, as presented in Kate Bowman's
20 rebuttal testimony; and
- 21 • Identify regulatory process issues that should be addressed prior to
22 the completion of this docket.

23 **Q. VIVINT SOLAR INDICATES THAT THE OCS APPEARED TO HAVE**
24 **CONCERNS ABOUT INSTANTANEOUS NETTING.¹ PLEASE CLARIFY**
25 **THE OCS'S POSITION.**

26 A. Before the OCS had an opportunity to complete its review of RMP's
27 proposal or related discovery responses, the OCS's direct testimony
28 (which I will adopt) raised some potential concerns about the
29 understandability of RMP's instantaneous netting proposal. Since that
30 time, I have had the opportunity to more fully review the proposal, give it
31 more serious consideration, and discuss both the proposal and potential
32 alternatives with the OCS internal team and consultants. The OCS is now
33 satisfied that RMP's proposal for instantaneous billing is reasonably
34 understandable. It allows customer generation output to offset any and all
35 behind the meter loads and is the most accurate method to measure
36 actual output to the grid. Furthermore, as I discussed in my rebuttal
37 testimony, the customer will be able to recalculate their bills simply based
38 on a monthly meter measurement for energy delivered to the customer,
39 and an on-peak and off-peak measurement of energy exported to the
40 grid.²

41 **Q. VIVINT SOLAR ASSERTS THAT RMP'S PROPOSED NET BILLING**
42 **METER FEE IS DISCRIMINATORY.³ HOW DO YOU RESPOND?**

¹ Vivint Solar rebuttal testimony of Worley, lines 480 – 483.

² See RMP's response to OCS 8.1.

³ Vivint Solar rebuttal testimony of Worley, lines 513 – 514 and 536 – 547.

43 A. I think Dr. Worley raises a valid point, albeit a premature one. RMP's
44 proposal in the general rate case for Utah's Advanced Meter Infrastructure
45 ("AMI") pilot program is just that: a proposal. The OCS opposes RMP's
46 AMI proposal because it will not be used and useful in the test period and
47 did not pass a cost-benefit test, among other reasons. The AMI meters Dr.
48 Worley references in his testimony will not be in rates at the time the PSC
49 establishes the export credit rate in this docket. However, I agree that the
50 meter fee should be revisited if and when AMI meters are included in base
51 rates for other residential customers. That would be the appropriate time
52 to address the question of whether it would be discriminatory to charge net
53 billing customers both AMI metering fees through base rates and metering
54 fees in Schedule 137 rates, which the OCS thinks it would.

55 **Q. AT LINE 94 OF HIS REBUTTAL TESTIMONY, DR. WORLEY STATED**
56 **THAT HE WAS HESITANT TO FULLY SUPPORT THE OCS'S DIRECT**
57 **TESTIMONY DISCUSSION ON PRINCIPLES, AND SPECIFICALLY ON**
58 **WHICH COSTS AND BENEFITS SHOULD BE CONSIDERED. WHAT IS**
59 **YOUR RESPONSE?**

60 A. I disagree with Dr. Worley that the OCS is attempting to "ignore the PSC's
61 guidance on the "type of evidence they need to weigh" and is trying to
62 raise "a strict bar on the costs and benefits the Commission should even
63 consider." The OCS completely agrees with Dr. Worley that all parties
64 should have the right to present evidence to support their case, which
65 should be considered by the PSC. Furthermore, the OCS does not

66 believe that any OCS witness has suggested that the burden of proof in
67 this case should require identification of specific projects in order to
68 support a position. But for the sake of clarity, the OCS's principle
69 regarding costs and benefits as articulated in Ms. Murray's direct
70 testimony at line 63 is that the OCS believes that only quantifiable benefits
71 associated with customer generation export energy should be considered
72 as part of the ECR.

73 **Q. WHAT IS UTAH CLEAN ENERGY'S (UCE) POSITION REGARDING**
74 **RMP RETURNING TO A NET METERING PARADIGM FOR**
75 **CUSTOMER GENERATION?**

76 A. Ms. Bowman indicates that she does not oppose a return to net metering.⁴
77 She also lists the virtues of the net metering structure by stating it is the
78 "simplest rate structure available for rooftop solar," "the most prevalent
79 policy," and "simple to administer." Ms. Bowman also recommends that
80 the PSC allow the transition rate to continue until the cap is met,⁵ rather
81 than ending it concurrent with the issuance of an order in this current
82 phase of the case.

83 **Q. WHAT IS YOUR CONCERN ABOUT THIS POSITION?**

84 A. UCE is a signatory to the settlement stipulation⁶ filed August 28, 2017 in
85 Docket 14-035-114. In my opinion, taking these positions is not consistent

⁴ Utah Clean Energy rebuttal testimony of Bowman, lines 70, 1064 – 1069, and 1162 – 1163.

⁵ Ibid, lines 1059 – 1061.

⁶ <https://pscdocs.utah.gov/electric/14docs/14035114/296183StipRMPVivint8-25-2017.pdf>

86 with the agreements made in that settlement.⁷ I also note that none of the
87 other signatories to the settlement takes this position.

88 **Q. HOW DO YOU RECOMMEND THE PSC TREAT THIS ISSUE?**

89 A. The PSC should disregard the portion of Ms. Bowman's rebuttal testimony
90 explaining why UCE does not oppose a return to net metering and
91 supporting a longer transition period.

92 **Q. WHAT ADDITIONAL PROCESS CONCERNS HAVE YOU IDENTIFIED?**

93 A. UCE recommends that for benefits that have been demonstrated but have
94 not yet been quantified, the PSC "should create a placeholder and
95 continue to explore methodologies to better quantify the value in future
96 proceedings."⁸ According to Ms. Bowman's rebuttal testimony, this
97 process would "avoid the need to re-litigate the Export Credit as a whole."⁹
98 While I share Ms. Bowman's desire to avoid re-litigation of the Export
99 Credit as a whole, I believe that additional process guidance from the PSC
100 now would be necessary to actually avoid re-litigation of all issues in the
101 future. Further, many categories of asserted benefits have not yet been
102 demonstrated but might materialize or be realized in the future. Future
103 litigation will be necessary to address both how to demonstrate additional
104 benefits as well as how to quantify them. However, it would not be an
105 efficient or reasonable use of regulatory resources to re-litigate each
106 aspect of the Export Credit rate and related tariff terms at each annual

⁷ See paragraph 33 in conjunction with paragraphs 11 and 15.

⁸ Utah Clean Energy rebuttal testimony of Bowman, lines 687 – 689.

⁹ Ibid, lines 689 – 691.

107 filing updating the rate, nor does any party appear to support such an
108 approach. (I note that the PSC will need to adjudicate whether the Export
109 Rate is an annual rate or a multi-year levelized price. Under either
110 method, periodic updates will be necessary to reflect changes in inputs.)
111 While RMP filed a tariff explaining the terms and conditions of taking
112 service under its proposal, the tariff does not address the process
113 associated with updating the rate. In my opinion, the export credit rate
114 setting process would benefit from more specific requirements addressing
115 issues like minimum filing requirements for the annual (or otherwise
116 specified) updates and how to address and support new benefits or costs
117 for inclusion in the rate.

118 **Q. WHAT IS YOUR RECOMMENDATION?**

119 A. I recommend that the PSC order a compliance phase to take place after it
120 issues an order on the substantive matter and solicit comments and reply
121 comments on these process matters on which it could make a ruling.

122 **Q. DOES THAT CONCLUDE YOUR TESTIMONY?**

123 A. Yes, it does.