

January 23, 2021

Utah Public Service Commission
Heber M. Wells Building, 4th Floor
160 East 300 South
Salt Lake City, UT 84114

RE: Docket No 17-035-61 In the Matter of the Application of Rocky Mountain Power to Establish Export Credits for Customer Generated Electricity

The abrupt decision, from the consumers' perspective, of the Utah Public Service Commission to change the rate of net metering for Rocky Mountain Power Customers without a grace period and Rocky Mountain Power's failure to transparently provide accurate information about the pending transition from schedule 136 to 137 has created undue financial loss for some customers who were already under contract to obtain solar from a local vendor prior to 31 October 2020. These customers made decisions to purchase their solar systems based upon erroneous information that was publically available to them at the time regarding the stability and timelines required to be included in the Schedule 136 program including: 1) the false information provided by Rocky Mountain Power customer service representatives who were ill-informed and not sufficiently trained to be able to give factual information to the public concerning the net metering program transition; 2) the misleading published information and documents on the Rocky Mountain Power website regarding a transition process; and 3) the confusing and misleading information provided by solar companies based upon their varying levels of understanding of the current status of the net metering program transition. Many of those that purchased a solar system during this timeframe would not have made the \$30k-\$80k purchase required to install solar had they known that they would fall under Schedule 137 instead of 136 at the time of contracting with a local solar vendor prior to 31 October, 2020. My wife and I are such customers.

Throughout the months of September and October, my wife and I spent significant time researching solar for our personal residence as a means to be more environmentally responsible and to save money on our high power bills. As an Active Duty service member on a fixed budget, our utility costs account for a disproportionately large portion of our monthly budget in comparison to our neighbors with similar sized homes. After investing in many other energy saving options to try and reduce our costs (additional insulation, air sealing, duct sealing, smart thermostats, window tinting, and energy efficient HVAC upgrades) we decided to pursue solar at the recommendation of a Rocky Mountain Power energy audit representative. During the course of our due diligence to ensure we fully understood the financial implications of our decision, we relied heavily on the Rocky Mountain Power "Customer Generation" website to work through the process. One of our biggest concerns

with going solar was the net metering terms of service, and in particular the reimbursement rate for produced energy, as we recognized that this would largely drive our family's economic benefits for going solar. Throughout the due diligence process, we spent significant time asking questions to all involved in the process about the stability of the current (at the time) net metering schedule, Schedule 136.

After spending some time researching solar online and studying the Rocky Mountain Power website, we started the process by receiving bids from six solar companies. All but one of the solar companies we spoke with said that now was a safe time to purchase solar in regards to net metering rate changes because the caps for the current Schedule 136 program had not been filled, and that significant capacity still remained within the current net metering schedule. One company, ES Solar, stated that they had insider knowledge that other solar companies didn't have that Rocky Mountain Power was looking to change the current solar rates in the next few months and that we needed to act fast with them in order to get the current rates. This information was very concerning to us and as such, we spent much time doing our due diligence to understand if this information was indeed correct or simply a way to put pressure on an already high pressure sales pitch. Throughout our due diligence working with other solar companies, searching online resources, and communicating with Rocky Mountain Power's customer service we were unable to find anything to support this assertion that there was a pending change to the net metering schedule. After spending weeks trying to confirm ES Solar's assertion, we determined that the "insider information" they had was simply an inappropriate sales tactic.

Throughout the process of trying to verify the information ES Solar provided us in their sales pitch, we spoke multiple times with Rocky Mountain Power customer service to verify information regarding the stability of the Schedule 136 Program. During these interactions, my wife and I asked multiple questions in regards to the potential for future changes to the net metering rate and to confirm if what ES Solar was telling us was indeed accurate. Rocky Mountain Power customer service stated that we needed to be cautious as many solar companies will say that there is a pending net metering change as a means to put pressure on sales. Additionally, the customer service representatives stated that there were no pending changes at this time, and that ES Solar's claims were not accurate. Furthermore, during these conversations, the customer service representatives mentioned that any changes to the net metering rate would come with a grace period similar to past rate changes for individuals currently working to get solar and that there was still significant capacity within the Schedule 136 program. During one particular conversation during the middle of October, the representative stated that if we signed with our solar company right now, we would have plenty of time for engineering to submit our schematics to Rocky Mountain Power as required for our application based upon the remaining Schedule 136 capacity to ensure we locked in the current (at the time) Schedule 136 net metering rate without any issues. Additionally, during a separate conversation with one of the energy audit representatives with Rocky Mountain Power, the representative strongly recommended that we install solar on our

residence as she felt it would save us significant money based on our high energy usage and the current net metering reimbursement rate of \$0.09 per kW. Finally, she stated that we should feel fully confident in starting the process with our solar company right now without any fear of a near term rate change. Never during any of our multiple conversations with Rocky Mountain Power's customer service team was there any mention of a pending change in rates, ongoing hearings by the Utah Public Service Commission, or a near term deadline prior to which we would need to submit our application to avoid a possible rate change. Quite to the contrary, all representatives that we spoke with stated that there were no pending changes at this time and that we had time to submit our application.

To continue our due diligence, my wife and I spent significant time relooking over the information available on the Rocky Mountain Power website. This website, and in particular the Customer Generation webpage, gave no indication that there was a pending change to the current reimbursement rate or that there were ongoing hearings that could result in a no notice change in rates. Additionally, there was no mention that applications for Schedule 136 needed to be received prior to 31 October, 2020 to be included in that program. My wife and I read Schedule 136 in depth and read all of the literature available on Rocky Mountain Power's website to fully understand what risks, if any, there were to a potential change in the reimbursement rate schedule. Even many weeks after the decision was made to change the net metering rate, Rocky Mountain Power's website still failed to provide information to the public that a change had been made from schedule 136 to 137, that hearings were ongoing, and that there was a deadline for applications. In discussions with Rocky Mountain Power following the change, they stated that they were given roughly 48 hours' notice. If so, why was this information not immediately made available to the public on their website? Given Rocky Mountain Power's failure to be transparent and notify the public during the month of October, it was impossible for the consumer, who did not already have an in-depth knowledge of the current transition process, to make an informed decision on purchasing solar based upon the information provided by Rocky Mountain Power and thereby to submit an application timely to ensure they were included on Schedule 136.

After receiving all of the information from vendors, Rocky Mountain Power, and the Rocky Mountain Power website we concluded that the current net metering rate was stable for the near future and used this information to conduct a cost analysis to weigh if putting solar on our house was financially a good decision. The cost analysis we conducted to determine if we should move forward with solar was based upon the terms stated in Schedule 136 with the understanding that any changes in rates would not come until December 31, 2032, based upon the published expiration date established by Schedule 136. We took the information we received from Rocky Mountain Power, to include the information provided on their website, Schedule 136, and from five of the six solar companies in good faith and decided to move forward with purchasing solar for our personal residence. While we took the information received from the vendors with some caution, we did not feel we needed to take the information provided by the Rocky Mountain Power Customer Service

Team and their website with additional scrutiny as it appeared to be definitive and accurate. Additionally, we did not see the need to continue our due diligence into the stability of net metering rates since Rocky Mountain Power had so definitively stated multiple times that we had time to submit our application, and the agreement for net metering would be with them directly. To finance our purchase, we refinanced our personal residence by securing a new first mortgage, provided a deposit to Redstone Solar to secure a spot in line for installation on October 15, 2020, and signed the final Contract with Redstone Solar on October 25, 2020. Redstone Solar immediately requested the necessary permits and developed the engineering plans required to submit to Rocky Mountain Power for the net metering agreement. With no knowledge of any pending changes to the rate, Redstone Solar applied for net metering for our account with Rocky Mountain Power on 2 November, the next business day following the change in rates. According to Redstone Solar, subsequent to this submission, Rocky Mountain Power stated that they were no longer granting Schedule 136 applications and instead that they required all future customers to apply for Schedule 137. They also told Redstone Solar that they could not provide any leniency for customers that were already in the process with signed contracts with their solar installers, regardless of the misrepresented information that Rocky Mountain Power gave customers to the contrary just two weeks prior.

On Tuesday, 17 November, I was informed by Redstone solar that there were issues with my application for net metering and that despite their best efforts to work with Rocky Mountain Power, things were not looking likely to be resolved favorably. They also apologized and explained that had they known in advance, they would have expedited the process and submitted the application one business day earlier. In speaking with two representatives from Rocky Mountain Power (one from the general customer service and the other from the Net Metering Department) later that day, I was informed by both that the rate change completely caught them off guard and that they were unsure of what the new net metering program status was. Additionally, when I explained to them what I had been explained by previous employees of Rocky Mountain Power, they explained that they too were saying the same thing prior to the change since they did not know of any pending rate increases or ongoing hearings, and thought for sure there would be a grace period similar to past changes. Later that day I filed an informal complaint with the State of Utah Division of Public Utilities against Rocky Mountain Power. On Friday, 20 November, I was called by Risa Talo from Rocky Mountain Power Customer Advocacy and Tariff Policy in regards to my informal complaint. She apologized multiple times extensively for the situation and explained that in her research so far on the situation, she has found that most of the employees were completely caught off guard and confirmed that they were putting out erroneous information concerning the transition process. She also explained that in speaking with her Net Metering Department, they were completely misinformed on the situation and as a result they were telling customers inaccurate information that they had plenty of time to submit applications and that there was still significant capacity on Schedule 136. In her written response to my complaint, she stated that this information was made

publically available on the Power Clerk website, not RockyMountainPower.net, and therefore my request to be granted Schedule 136 was denied as I should have been informed. As a consumer, I would have no reason to search for information regarding Rocky Mountain Powers' current net metering program on the Power Clerk website as it is not their official consumer website, but instead an industry level website that requires a login.

In my situation, Rocky Mountain Power completely misrepresented the net metering program transition which, if not resolved, will result in financial loss to me and my family. This financial loss is directly a result of Rocky Mountain Powers' failure to properly inform and train their employees on the net metering program transition. Had my wife and I known that the net meter rate would be based upon the terms proposed for Schedule 137 or that the terms could change on a moment's notice during the process, we would not have moved forward with solar because the increased cost of the program does not provide the cost savings we are seeking in our family budget. As the customer, it is quite frustrating that we will have to bear the financial burden of Rocky Mountain Power's inability to properly and transparently represent the situation to their customers. This situation put our family in a less than ideal situation following the change in rates. The solar system we contracted to purchase was designed to provide us with a net-zero system based upon Schedule 136 for 11 years and then subject to change in rates after that. Based upon Schedule 137, we will no longer have a net-zero system, but instead have to pay 33% more for our grid pulled energy. If we decided to move forward with installing solar, it would result in an estimated average increased cost to our family budget over what we were paying prior to going solar of \$500-900 annually, or up to \$9,900 over the course of the life of the original terms of Schedule 136. If we decided not to install solar and use the cash we pulled out of the equity in our house for the solar system to repay the equity on our mortgage, we would still have an increased mortgage payment of \$4500 annually over what we were paying prior to the decision to go forward with solar in addition to our high electric bill. In comparison, our cost analysis indicated that we would save on average \$200-\$400 annually under schedule 136 from what we were currently paying for electricity. This unnecessary increase in our monthly expenses is frustrating to say the least and comes as an unnecessary burden that we would not have incurred had we been fully informed by Rocky Mountain Power of transition process and ongoing hearings. Ultimately, given the less than ideal choices available to us at the time, we decided to move forward with installing solar as we felt it was the lesser of the two choices.

As the sole provider of power available to many of us as the consumer, Rocky Mountain Power has a distinct and inherent responsibility to ensure they provide the public with transparent, accurate, factual, and timely information regarding potential changes to the net metering program. In regards to these responsibilities, Rocky Mountain Power completely failed their customers. The information provided by their customer service representatives, net metering department, and website were grossly inaccurate and misleading about the true nature of the transition process. Rocky Mountain Power should have been the subject matter experts throughout the transition process and ensured

that their representatives were properly trained to provide transparent, accurate, factual, and timely information for the public at large. Additionally, Rocky Mountain Power failed to provide information to the public in a timely manner. Following the change in Schedules, I have since learned that this transition has been ongoing for multiple years. This should be plenty of time for Rocky Mountain power to educate their employees and ensure they can give accurate information to the public so they can make an informed decision. Finally, even though they were given only 48 hours notification of a pending change, they still should have taken the most basic steps to ensure that the public was informed of the pending change, by at a minimum updating their official website and sending out an e-mail to their customers so that they knew about the short suspense deadline.

Given the misinformation provided by Rocky Mountain Power to their consumers, I strongly request that the Utah Public Service Commission reconsider the net metering rate schedule for customers that signed contracts with their solar providers prior to October 31, but submitted their application with Rocky Mountain Power just after the change in rates. Given that the public could not have made an educated decision based upon the inaccurate, non-transparent, and untimely information that was provided by Rocky Mountain Power's customer service and website during this timeframe, these solar purchasers should be grandfathered into the Schedule 136 program. Additionally, Rocky Mountain Power should take a hard look at the training and information that they provide to their employees in regards to the net metering program to ensure that they are accurately, timely, and transparently providing information to consumers that will ultimately be used by the consumer to make decisions concerning large investments, such as the purchase of a solar system. In this case, Rocky Mountain Power's failure to give accurate information to their customers prevented many customers from making a well informed decision and ultimately resulted in unnecessary economic loss.

Sincerely,

Tyler and Meredith Jensen

Enclosures:

- 1 – Letter from RedStone Solar
- 2 – Screenshot of Rocky Mountain Power's Website on 17 November, 2020
- 3 – Screenshot of Rocky Mountain Power's Website on 23 January, 2021
- 4 – Jensen, Informal complaint and Rocky Mountain Power Response 23 November, 2020



To whom it may concern,

On the behalf of my customer Tyler Jensen and as a representative of Redstone Solar I will be recounting my experience working with Rocky Mountain Power in providing Tyler Jensen a Grid-Tied solar installation.

I gave Tyler Jensen a quote for installing solar panels on his home on September 22, 2020. At this time Rocky Mountain Power Schedule 136 was open for new applications and that net metering schedule was used to estimate the size of solar installation Tyler needed to offset his utility bill with solar production. On October 25, 2020 a solar installation agreement was signed between Tyler Jensen and Redstone solar outlining a final design for the solar panels. When the contract was signed Redstone solar accepted a deposit that was cashed into its bank account on October 15, 2020. At that point, Redstone solar started electrical engineering, structural engineering, and permitting for the Jensen family solar project. Both Redstone Solar and Tyler Jensen invested time and money and were committed to a specific solar design with a proposed solar production offset. Redstone solar contacted Rocky Mountain Power in regards to their net metering program several times between October and November 2020. We consulted with employees at Rocky Mountain power in the net metering department about any potential changes with the program. Both myself, and Chris Collard my business partner were reassured that schedule 136 was still open and had plenty of capacity for more solar installation on that schedule. We were both told that there was going to be a study, or meeting held about Rocky Mountain Power's solar program at the end of 2020 but no changes would be abruptly made. Because Tyler Jensen's solar installation was over 10kW Rocky Mountain Power needed additional electrical engineering to be submitted with the net metering application. Tyler Jensens system required custom made specialty products that further delayed the process for engineering. Tyler Jensens net metering application was submitted on Nov 2nd 2020. Our company policy is to submit all engineering, net metering, and building permits within 10 days of contracting an installation. In this situation, Tyler Jensens net-metering application was not finalized as quickly because of the complexity of the install and the engineering documents Rocky Mountain Power requested. We had not received the documents required from manufacture of the solar inverters until after the net metering changes were made. My self nor any other employee at Redstone Solar was at any point contacted about the changes with net metering. I found out several days after the changes were in effect by reading local news articles on my lunch break while I was installing a solar system for a customer in Salt Lake City. I was devastated the the changes when into effect immediately and that we were not told about the potential changes and even had power company employees miss represent the outlook of solar, they clearly did not know what was going on. I was lied to and miss lead and in turn provided my customers with out dated information. As I tried to reach out to Rocky Mountain Power I was told conflicting information and I believed there would be a possibility for a transitional period where we could submit all our contracted work on schedule 136. Rocky Mountain power employees could not definitively answer questions about the changes. Employees seemed confused, and uncertain and some even unaware of the changes that were made. For weeks after the changes where in effect Rocky Mountain Power had the Old 136 listed on there website as the current rate schedule and did not provide any updates or clarifications online.



Redstone Solar LLC

2483 N Canyon Rd,

Provo, UT 84604

info@redstone.solar

1/09/2020

Date



Brandan Sirrine





MY ACCOUNT

OUTAGES & SAFETY

SAVINGS & ENERGY CHOICES



SIGN IN

Savings & Energy Choices

Home energy choices

Business energy choices

Renewable energy

Electric vehicles

Customer generation

Time of Day

Customer generation

To help meet our customers' electricity needs, we're committed to using cost-effective renewable energy sources.

We partner with our customers to ensure safe and reliable interconnection of customer-owned private generation systems with the electric grid.



Application process for rooftop solar and other smaller systems

Steps and application

QUOTES: Obtain quotes and choose a reputable installer. Review this [checklist](#).

APPLICATION STATUS: [Check the status](#) of your application.

APPLY: Submit an [online application](#) with the proposed system, including a picture of the meter.

1. Wait for review and confirmation authorizing the interconnection.
2. Get permits and install your system, but don't turn it on yet.
3. Have your system inspected, take a picture and let us know. Upload the inspection and a picture of the safety signs, then sign the electronic signature request.
4. Give us 7-10 days to install the meter. We'll let you know when you can turn your system on.
5. Generate your own renewable energy!

Timeline

30
BUSINESS
DAYS

APPLICATION and
APPROVAL



30
BUSINESS
DAYS

INSTALLATION and
INSPECTION



10
BUSINESS
DAYS

METER
INSTALLATION



Review additional resources for your state

[Review FAQ about billing, high bills and aggregation](#)

Utah

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Billing and tariff

- [Utah Aggregation Form](#)
- [Utah Schedule 135 – Grandfathered Net Metering Program](#)
- [Utah Schedule 136 – Transition Program](#)
- [Utah Schedule 136 megawatt capacity update](#)
- [How to read your Schedule 135 net meter](#)
- [How to read your Schedule 136 transition program meter](#)
- [Understanding your Schedule 136 bill](#)

Brochures and useful information

- [Overview: Understanding Net Metering](#)
- [Connecting to Rocky Mountain Power's Energy System](#)
- [Key Components of a Solar Generation System](#)

Technical resources

- [Policy 138 - Distributed Energy Resource \(DER\) Interconnection Policy](#)
- [Effective Grounding for Customer Generation Facilities](#)
- [Frequently Asked Questions: Transient Overvoltage Management for Distributed Energy Resources](#)
- [Example Site Plan](#)
- [Example One-line Drawing](#)
- [Examples of Required Labeling](#)
- [Battery System Interconnections – Interim Technical Requirements](#)

Programs, Incentives and rebates

- [Utah Subscriber Solar Program](#)
- [DSIRE – Database of Incentives for renewables and efficiency](#)
- [Residential federal tax credit](#)
- [Business energy investment tax credit](#)





https://www.rockymountainpower.net/savings-energy-choices/customer-generation.html



Search...



Customer Generation



- [Residential federal tax credit](#)
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Large interconnections

If you want to generate electricity from renewable resources to cover a portion of your needs, but still want electricity from Rocky Mountain Power's system, then a Partial Requirements agreement may be right for you.

[FIND OUT MORE](#)



Qualifying facilities

If you are planning a larger generation project – greater than 25 kW – and plan to sell power to Rocky Mountain Power, information is available on qualifying facilities, grid connection requests and market-based incentives.

[LEARN MORE](#)

Questions?

1-800-825-8078



Your solar application

[APPLY & REVIEW STATUS](#)



Renewable energy

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Review FAQ about billing, high bills and aggregation

Utah

Keeping you informed: After a three-year proceeding which concluded in October 2020, the Utah Public Service Commission issued an **order** that closed the transition program (Schedule 136) to new applicants effective midnight on Oct. 30, 2020, and approved a new net billing program (Schedule 137) beginning October 31, 2020 for Utah customers who choose to generate their own electricity while continuing to rely on Rocky Mountain Power's network.

Billing and tariff

- [Utah Aggregation Form](#)
- [Utah Schedule 135 – Grandfathered Net Metering Program – *closed to new applicants*](#)
- [Utah Schedule 136 – Transition Program – *closed to new applicants*](#)
- [Utah Schedule 136 megawatt capacity update](#)
- [Utah Schedule 137 – Net Billing Program](#)
- [How to read your Schedule 135 net meter](#)

Complaint Report

Complaint Number: C20-0231

Customer Information

Customer Name: Jensen , Tyler

Account Number:

Phone Number: [REDACTED]

Email Address: [REDACTED] tjmj13@gmail.com

Service [REDACTED]

Address: Alpine, UT 84004

Complaint Information

Company Name: Rocky Mountain Power

Date Received: 11/17/2020

Date Resolved: 11/23/2020

Type of Call: Complaint

Complaint Type: Meter Problems / Reads

Complaint Received By: Cynthia Dumas

Utility Company Analyst: Florisa Talo

Gone Formal: NO

Complaint Description:

The Division received a call from Mr. Gensen regarding the new changes with RMP net metering. Mr. Gensen explained last month he got a loan and signed the contract with a solar company to get them installed. Mr. Garner explained he had done his research, spoken to the solar company, RMP, and the city to get it approved and installed. Since RMP has made changes with net metering the reimbursement per kilowat changed from 9 cents to 6 cents. Mr. Gensen is upset that RMP isn't going to honor what he signed up for, he's out on the money of the cost, and now has to pay an additional \$600 extra a month. Mr. Gensen's resolution is for RMP to allow individuals who were already in the process of installing solar to follow the contract he agreed on. Please contact the customer.

Complaint Response:

From: Talo, Florisa (PacifiCorp)
Date: Mon, Nov 23, 2020 at 12:41 PM
Subject: FW: Re: Pending UT case: Jensen, Tyler
To: Cynthia Dumas

Good Afternoon Cynthia,

Tyler Jensen
[REDACTED]

Alpine, UT 84004

I spoke with Mr. Jensen on Friday, November 20, 2020 and understand his concerns with the change in the net metering rate schedule. By way of background, Schedule 136 was always set to transition to Schedule 137 and solar installers and customers were made aware of this. Rocky Mountain Power updated this information as well on Power Clerk so installers were aware that the deadline was October 30, 2020 to have applications submitted in order for customer's to be able to qualify for Schedule 136. Mr. Jensen's application was submitted on November 2, 2020 therefore we are unable to allow him to be on Schedule 136.

Mr. Jensen expressed that if we are unable to make an exception for him, he would proceed with going formal. I advised him that you would provide him with the necessary paperwork.

Please let me know if you have any questions or concerns.

Thank you,
Risa Talo
Customer Advocacy and Tariff Policy
801-955-2435