

December 7, 2017

### VIA ELECTRONIC FILING

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

Attention: Gary Widerburg

**Commission Secretary** 

RE: Docket No. 17-035-63 – In the Matter of the Application of Rocky Mountain

Power for Approval of Extension of Power Purchase Agreement Between

**PacifiCorp and Tesoro Refining and Marketing Company** 

Rocky Mountain Power (the "Company") hereby submits for filing its application for approval of a two month extension of the current Power Purchase Agreement between PacifiCorp and Tesoro Refining and Marketing Company, which expires December 31, 2017, while the new agreement executed is reviewed in Docket No. 17-035-60.

The Company respectfully requests that all formal correspondence and requests for additional information regarding this filing be addressed to the following:

By E-mail (preferred): <u>datarequest@pacificorp.com</u>

utahdockets@pacificorp.com jana.saba@pacificorp.com

daniel.solander@pacificorp.com

By regular mail: Data Request Response Center

PacifiCorp

825 NE Multnomah, Suite 2000

Portland, OR 97232

Informal inquiries may be directed to Jana Saba at (801) 220-2823.

Sincerely,

Joelle R. Steward

Vice President, Regulation

Daniel E. Solander

Rocky Mountain Power

1407 N. West Temple, Suite 320

Salt Lake City, UT 84116

Telephone: (801) 220-4014

Email: daniel.solander@pacificorp.com

Attorney for Rocky Mountain Power

### BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of ROCKY MOUNTAIN POWER for Approval of Extension of Power	) Docket No. 17-035-63
Purchase Agreement Between PacifiCorp and Tesoro Refining and Marketing Company	APPLICATION OF ROCKY MOUNTAIN POWER

Rocky Mountain Power, a division of PacifiCorp, hereby applies for an order from the Public Service Commission of Utah (the "Commission") approving a two month extension to the Power Purchase Agreement ("Agreement") currently in effect between PacifiCorp and Tesoro Refining and Marketing Company ("Tesoro"), through March 1, 2018. In support of its Application, Rocky Mountain Power states as follows:

1. Rocky Mountain Power is a public utility in the state of Utah and is subject to the jurisdiction of the Commission with regard to its rates and service. Rocky Mountain Power also provides retail electric service in the states of Idaho and Wyoming. As a "purchasing utility," as that term is used in Utah Code Ann. §54-12-2, PacifiCorp is obligated to purchase power from qualifying facilities pursuant to the Public Utility Regulatory Policies Act of 1978, Utah Code Ann. §54-12-1, et seq., and the Commission's orders. Under the Agreement, Tesoro represents itself to be a qualifying facility, and agrees to provide PacifiCorp, upon request, with evidence to show its qualifying facility status.

1

2. Communications regarding this Application should be addressed to:

Jana Saba Rocky Mountain Power 1407 W. North Temple, Suite 330 Salt Lake City, UT 84111 Telephone: (801) 220-2823 Email: jana.saba@PacifiCorp.com

Daniel E. Solander Rocky Mountain Power 1407 W. North Temple, Suite 320 Salt Lake City, UT 84116 Telephone: (801) 220-4459

Email: daniel.solander@pacificorp.com

### With a copy to:

By e-mail (preferred): <a href="mailto:datarequest@pacificorp.com">datarequest@pacificorp.com</a>

By fax: (503) 813-6060

By mail: Data Request Response Center

Rocky Mountain Power

825 NE Multnomah St., Suite 800

Portland, OR 97232

3. PacifiCorp is currently purchasing the output from Tesoro's 25 megawatt gasfired cogeneration qualifying facility pursuant to a power purchase agreement approved by the Commission on November 16, 2016, in Docket No. 16-035-40. The current agreement expires on December 31, 2017.

4. On November 29, 2017, PacifiCorp filed an application with the Commission in Docket No. 17-035-70 for approval of a new power purchase agreement with Tesoro, effective January 1, 2018. Based on discussions with the Division of Public Utilities, it will not be possible for the new agreement to be reviewed prior to expiration of the current agreement. The scheduling for Docket No. 17-035-70 was set on December 6, 2017 with hearings on February 13, 2018.

2

PacifiCorp and Tesoro desire to continue selling and purchasing the output from

Tesoro's qualifying facility under the terms and conditions of the existing Agreement through

March 1, 2018. The parties believe that this will allow the Division and other interested parties

sufficient time to complete review of the new agreement, and for the Commission to hold public

hearings on the Application. Rocky Mountain Power is authorized to represent that the Utah

Division of Public Utilities and the Office of Consumer Services do not oppose the extension,

provided that the price paid by PacifiCorp for the output from Tesoro's facility under the existing

contract is trued up to the price that would have been paid had the new prices been in effect

beginning January 1, 2017. Tesoro and PacifiCorp have agreed to this pricing true up.

6. As noted above, the current Agreement expires on December 31, 2017. The

parties desire to avoid the scenario where the Agreement expires with no replacement agreement

approved by the Commission. Therefore, the parties request that the extension of the existing

Agreement be approved on or before December 31, 2017, if possible.

7. The prices, terms, and conditions of the Agreement in effect currently are just and

reasonable and in the public interest, and have been approved by the Commission.

WHEREFORE, Rocky Mountain Power respectfully requests that the Commission issue

its Order approving the extension of the existing Agreement and finding that the Agreement and

the terms and conditions set forth therein are just and reasonable and in the public interest to

continue through March 1, 2018.

5.

DATED this 7<sup>th</sup> day of December 2017.

Respectfully submitted,

Daniel E. Solander

Attorney for Rocky Mountain Power

## **CERTIFICATE OF SERVICE**

Docket No. 17-035-63

I hereby certify that on December 7, 2017, a true and correct copy of the foregoing was served by electronic mail to the following:

# **Utah Office of Consumer Services**

Cheryl Murray <a href="mailto:cmurray@utah.gov">cmurray@utah.gov</a>
Michele Beck <a href="mailto:mbeck@utah.gov">mbeck@utah.gov</a>

**Division of Public Utilities** 

Erika Tedder <u>etedder@utah.gov</u>

**Assistant Attorney General** 

Patricia Schmid <a href="mailto:pschmid@agutah.gov">pschmid@agutah.gov</a>
Justin Jetter <a href="mailto:jjetter@agutah.gov">jjetter@agutah.gov</a>
Robert Moore <a href="mailto:rmoore@agutah.gov">rmoore@agutah.gov</a>
Steven Snarr <a href="mailto:stevensnarr@agutah.gov">stevensnarr@agutah.gov</a>

**Rocky Mountain Power** 

Data Request Response Center

Jana Saba

jana.saba@pacificorp.com;
utahdockets@pacificorp.com

Daniel Solander daniel.solander@pacificorp.com

Supervisor Regulatory Operations