



GARY HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah
Department of Commerce
Division of Public Utilities

FRANCINE GIANI
Executive Director

CHRIS PARKER
Director, Division of Public Utilities

Action Request Response

To: Utah Public Service Commission

From: Utah Division of Public Utilities
Chris Parker, Director
Artie Powell, Energy Section Manager
Bob Davis, Utility Analyst
Abdinasir Abdulle, Utility Analyst

Date: February 12, 2019

Re: Approval of Tariff Sheets, Docket No. 18-035-T04 – Rocky Mountain Power’s Proposed Tariff Revisions to Electric Service Regulation Nos. 4 (Supply and Use of Service), 5 (Customer’s Installation), 7 (Metering), 9 (Deposits), 10 (Termination of Service and Deferred Payment Agreement), 12 (Line Extensions), and Electric Service Schedule No. 300 (Regulation Charges).

Recommendation (Approval)

The Division of Public Utilities (“Division”) recommends the Public Service Commission (“Commission”) approve Rocky Mountain Power’s (“RMP”) proposed revisions to Electric Service Regulation Nos. 4 (Supply and Use of Service), 5 (Customer’s Installation), 9 (Deposits), 10 (Termination of Service and Deferred Payment Agreement), 12 (Line Extensions), and Electric Service Schedule No. 300 (Regulation Charges), effective January 16, 2019. The Division determined that RMP’s filing complies with the Commission’s Order dated January 15, 2019 and Rule R746-405-2(D). RMP scheduled time with the Division on February 7, 2019 to discuss Electric Service Regulation No. 7 (Metering).

Issue

On January 15, 2019, the Commission issued its Order for Docket No. 18-035-T04 (“Order”) directing RMP to make final revisions to its tariff modifications and file those revisions with the Commission no later than 15 days from the date of the Order. On January 30, 2019, RMP filed its final tariff revisions with the Commission. On the same day, the Commission issued an action request to the Division asking it to review RMP’s filing for compliance and report back by February 13, 2019. This memorandum represents the Division’s response to the Commission’s request to review RMP’s filing for compliance.

Background

In its original comments to this docket, the Division did not propose any changes to Regulation No. 4 (Supply and Use of Service), Regulation No. 5 (Customer’s Installation), Regulation No. 10 (Termination of Service and Deferred Payment Agreement), and Sheet No. 300 (Regulation Charges). The Division recommended approval, with recommendations, to Regulation No. 9 (Deposits), and Regulation No. 12 (Line Extensions). RMP adopted the modifications proposed by the Division in its reply comments filed on December 12, 2018 and agreed to review Electric Service Regulation No. 7 (Metering) at a later date in response to the Division’s reply comments filed on January 10, 2019.

UAE filed comments and reply comments on November 20, 2018 and January 10, 2019, respectively, recommending changes to Regulation No. 4, Section 3 (Service to Tenants) and Regulation No. 12, specifically Sections 12(3)(d), 12(3)(e), and 12(5)(b).

Discussion

In its Order, the Commission approved RMP’s initial tariff sheets, as modified by the language in its updated tariff sheets, effective January 16, 2019. The Commission also approved RMP’s revised Regulation No. 9, Section 1(b)(3), Regulation No. 12, Section 3(d), and Regulation No. 12, Section 3(e). The Commission adopted and approved UAE’s proposed language to Regulation No. 12, Section 5(b) as proposed in its original comments and reaffirmed in its reply comments. The Commission, however, declined to adopt RMP’s proposed modification to

Electric Service Regulation No. 7, Section 4(b). RMP is in discussions with the DPU and other parties regarding Electric Service Regulation No. 7 (Metering).

In compliance with the Commission's Order, RMP filed its revised Sheets for the Electric Service Regulation Schedules and Schedule No. 300 on January 30, 2019. The Division reviewed RMP's final revisions and concludes that the revisions comply with the Commission's Order after the correction of a small omission on the revised Sheet No. 12R.8 where "*Advice No. 18-04*" was not included on the sheet per Utah Administrative Code Rule 746-405-2(C)(1)(a)(iii). The Division requested that RMP correct this omission and refile Sheet No. 12R.8 with the Commission. RMP revised its Sheet No. 12R.8 and refiled it with the Commission on February 6, 2019.¹

In reviewing RMP's advice letter for this matter, the Division reviewed Utah Administrative Code Rule 746-405-2(D)(3)(g), which requires a statement that the tariff sheets proposed do not constitute a violation of state law or Commission rule. However, the rule also states that the filing of proposed tariff sheets shall of itself constitute the representation of the filing utility that it, in good faith, believes the proposed sheets or revised sheets to be consistent with applicable statutes, rules and orders. The filing does not appear to violate statute or rule.

Conclusion

The Division concludes that RMP's filing complies with the Commission's Order. Therefore, except for Electric Service Regulation No. 7 (Metering), the Division recommends the Commission approve RMP's revised Electric Service Regulations Nos. 4, 5, 9, 10, and 12, and Electric Service Schedule No. 300 effective January 16, 2019. RMP is in discussions with the DPU and other parties regarding Electric Service Regulation No. 7 (Metering) and the Division will report at the appropriate time on a refiled draft.

Cc: Joelle Steward, RMP
Jana Saba, RMP
Michele Beck, OCS

¹ Rocky Mountain Power, Correction to Compliance Filing, 18-035-T04, February 6, 2019, <https://pscdocs.utah.gov/electric/18docs/18035T04/306584CorrCompFil2-6-2019.pdf>.