

In the Matter Of:

In RE: Rocky Mountain Power EBA

HEARING, DOCKET NO. 19-035-01

April 24, 2019

Job Number: 538729

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

Application of Rocky)
Mountain Power to Increase) Docket No. 19-035-01
the Deferred EBA Rate)
through Energy Balancing) Hearing
Account Mechanism,)

Date: April 24, 2019

Time: 10:00 a.m.

Location: Heber M. Wells Bldg. Room 403
160 East 300 South
Salt Lake City, Utah

Commission: Thad LeVar, Chairman
David R. Clark
Jordan A. White

Job No. 538729
Reporter: Melinda J. Andersen
Certified Shorthand Reporter and Notary Public

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A P P E A R A N C E S

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For the Division:	Justin Jetter jjetter@agutah.gov
For the Office:	Robert Moore rmoore@agutah.gov
For UAE:	Gary A. Dodge

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1 P R O C E E D I N G S

2 CHAIRMAN LEVAR: Good morning. We're here for
3 Public Service Commission Docket 19-035-01, application of
4 Rocky Mountain Power to increase the deferred EBA rate
5 through the energy balancing account mechanism.

6 Why don't we start with appearances. For the
7 Utility.

8 MS. HOGLE: Good morning. Yvonne Hogle for
9 Rocky Mountain Power. And here with me is Mr. Mike Wilding
10 and on the telephone I think we have Mr. Robert Merideth as
11 well.

12 CHAIRMAN LEVAR: Okay. Has it already been
13 verified that he can hear and we can hear him.

14 MR. MERIDETH: Yes, I can hear. This is
15 Robert.

16 CHAIRMAN LEVAR: Thank you. Mr. Jetter.

17 MR. JETTER: Justin Jetter with the Utah
18 Attorney General's office. And I'm here this morning
19 representing the Utah Division of Public Utilities. With
20 me at counsel table is Division witness David Thomson.

21 CHAIRMAN LEVAR: Thank you. Mr. Moore.

22 MR. MOORE: Robert Moore with the AG's office
23 representing the Office of Consumer Services.

24 MR. DODGE: Gray Dodge on behalf of the Utah
25 Association of Energy Users.

1 CHAIRMAN LEVAR: Thank you. Anything as a
2 preliminary matter before we just move to the Utility's
3 presentation? Ms. Hogle. Thank you.

4 MS. HOGLE: Thank you. The Company calls
5 Mr. Mike Wilding.

6 CHAIRMAN LEVAR: Do you want him to come up or
7 keep him at the table? Is there any preference?

8 MS. HOGLE: If it's okay I'm okay with him
9 being at counsel table with us.

10 CHAIRMAN LEVAR: Any objection from any parties
11 or from the court reporter to keeping the witness at the
12 counsel table?

13 MR. JETTER: No objection.

14 MR. MOORE: No objection.

15 CHAIRMAN LEVAR: Mr. Wilding, do you swear to
16 tell the truth.

17 THE WITNESS: Yes.

18 DIRECT EXAMINATION

19 BY MS. HOGLE:

20 Q. Good morning, Mr. Wilding. Can you please
21 state your name, place of employment, and position for the
22 record?

23 A. Yes. My name is Michael G. Wilding. I work
24 for PacifiCorp as the director of net power cost and
25 regulatory policy.

1 Q. And in that capacity did you prepare and file
2 direct testimony with attached Exhibits MGW-1 and MGW-2?

3 A. Yes.

4 Q. And do you have any changes to that testimony
5 or exhibits?

6 A. No.

7 Q. So if I asked you the questions therein again
8 today your answers would be the same?

9 A. Yes.

10 MS. HOGLE: Okay. At this time I would like to
11 move for the admission of Mr. Wilding's direct testimony
12 with attached Exhibits MGW-1 and MGW-2 into the record.

13 CHAIRMAN LEVAR: If anyone objects to that
14 motion please indicate to me. I'm not seeing any
15 objection, so it's granted.

16 MS. HOGLE: Thank you.

17 Q. (By Ms. Hogle) Mr. Wilding, do you have a
18 short summary that you would like to give to the
19 Commission?

20 A. Yes. On March 13, 2019 the Company filed its
21 annual energy balancing account, or EBA, requesting to
22 recover \$23.9 of EBA related costs resulting in a 1.1
23 percent EBA rate increase to be effective May 1, 2019 on an
24 interim basis.

25 The EBA rate increase is driven by a higher net

1 power cost that are currently in base rates and the
2 amortization of the Deer Creek Mine expense.

3 This is partially offset by a credit for
4 savings related to the medical benefit obligation of the
5 Deer Creek Mine and an adjustment for sales made to a
6 special contract customer.

7 The proposed rate increase is spread across
8 customer rate schedules consistent with the net power cost
9 allocators agreed to in the 2014 generate rate case. And
10 the average rate impact to residential customers, or the
11 average residential customer is 0.9 percent, or 67 cents
12 per month.

13 **Q. Mr. Wilding, do you have a specific request for**
14 **the Commission at this time?**

15 **A.** Yes. I respectfully request that the
16 Commission approve the interim rates per the application to
17 be effective May 1, 2019.

18 MS. HOGLE: Mr. Wilding is available for
19 questions.

20 CHAIRMAN LEVAR: Thank you. Mr. Jetter, do you
21 have any question?

22 MR. JETTER: I have no questions.

23 CHAIRMAN LEVAR: Thank you. Mr. Moore.

24 MR. MOORE: No questions. Thank you.

25 CHAIRMAN LEVAR: Mr. Dodge.

1 MR. DODGE: No questions.

2 CHAIRMAN LEVAR: Commissioner White, do you
3 have any questions?

4 COMMISSIONER WHITE: No questions. Thank you.

5 CHAIRMAN LEVAR: Commissioner Clark.

6 COMMISSIONER CLARK: I don't have any
7 questions. Thank you.

8 CHAIRMAN LEVAR: I don't either. Thank you for
9 your testimony. Ms. Hogle.

10 MS. HOGLE: Thank you. At this time I would
11 like to call Mr. Robert Merideth.

12 CHAIRMAN LEVAR: Mr. Merideth, do you swear to
13 tell the truth?

14 THE WITNESS: I do.

15 CHAIRMAN LEVAR: Thank you.

16 DIRECT EXAMINATION

17 BY MS. HOGLE:

18 Q. Can you please state your name, place of
19 employment, and position for the record?

20 A. Yes. My name is Robert M. Merideth. I work
21 for Rocky Mountain Power as the manager of pricing and cost
22 service.

23 Q. In that capacity did you prepare and file
24 direct testimony with attached Exhibits RMM-1 through
25 RMM-3?

1 A. Yes, I did.

2 Q. Do you have any changes to that testimony or
3 exhibits?

4 A. No, I do not.

5 Q. So if I were to ask you the same questions
6 therein again here today your answers would be the same?

7 A. Yes.

8 MS. HOGLE: At this time I would like to move
9 for the admission of Mr. Merideth's direct testimony along
10 with attached Exhibits RMM-1 through RMM-3.

11 CHAIRMAN LEVAR: Thank you. If any party
12 objects to that motion please indicate. I'm not seeing any
13 objection, so it's granted.

14 MS. HOGLE: Thank you. Mr. Merideth is not
15 going to present a summary, but he is available for
16 questions.

17 CHAIRMAN LEVAR: Okay. Thank you. Mr. Jetter,
18 do you have any questions for Mr. Merideth?

19 MR. JETTER: I have no questions.

20 CHAIRMAN LEVAR: Mr. Moore.

21 MR. MOORE: No questions. Thank you.

22 CHAIRMAN LEVAR: Mr. Dodge.

23 MR. DODGE: No questions.

24 CHAIRMAN LEVAR: Commissioner Clark.

25 COMMISSIONER CLARK: No questions.

1 CHAIRMAN LEVAR: Commissioner White.

2 COMMISSIONER WHITE: No questions.

3 CHAIRMAN LEVAR: I don't either. Thank you for
4 your testimony today. Ms. Hogle.

5 MS. HOGLE: Nothing else. Thank you.

6 CHAIRMAN LEVAR: Thank you. Mr. Jetter.

7 MR. JETTER: The Division would like to call
8 its witness David Thomson and have him sworn in.

9 CHAIRMAN LEVAR: Mr. Thomson, do you swear to
10 tell the truth?

11 THE WITNESS: I do.

12 CHAIRMAN LEVAR: Thank you.

13 DIRECT EXAMINATION

14 BY MR. JETTER:

15 Q. Mr. Thomson, would you please state your name
16 and occupation for the record?

17 A. My name is David Thomson. I'm a utility
18 technical consultant.

19 Q. Thank you. In the course of your employment
20 have you had an opportunity to review the filings made in
21 this docket?

22 A. I did.

23 Q. As a result of reviewing those filings in your
24 analysis, did you create and cause to be filed with the
25 Commission a memo from the Division dated April 4, 2019?

1 A. Yes.

2 Q. Do you have any corrections or edits you would
3 like to make to that this morning?

4 A. I do not.

5 Q. Would you adopt that as your testimony today?

6 A. I would.

7 Q. Thank you.

8 MR. JETTER: I would also like to at this time
9 enter into the record the April 4, 2019 memo from Dave
10 Thomson.

11 CHAIRMAN LEVAR: If any party objects to that
12 motion please indicate to me. I'm not seeing any
13 objection, so it's granted.

14 MR. JETTER: Thank you.

15 Q. (By Mr. Jetter) Have you prepared a brief
16 statement summarizing the Division's position?

17 A. I have.

18 Q. Go ahead.

19 A. The Division in its April 4, 2019 memorandum to
20 the Commission concluded subject to the limited scope of
21 its review that the Company's 2019 EBA filing does not
22 substantially depart from prior year filings.

23 New adjusted items under prior filings are
24 included and appear to be required for inclusion in this
25 filing. The new adjustments can be found in the direct

1 testimony of Michael G. Wilding and the Company's
2 Exhibit 1.

3 The Division believes that the Company's
4 proposed rate spread, rate design, and billing determinants
5 are consistent with the Commission's approved stipulations.

6 The Division believes the Commission can use
7 the Company's rate spread and rate calculation methods in
8 its filing for interim rates or another adjustment
9 mechanism as so approved.

10 This concludes my statement.

11 **Q. Thank you. I have no further questions.**

12 MR. JETTER: Mr. Thomson is available for
13 questions on cross examination from parties or questions
14 from the Commission.

15 CHAIRMAN LEVAR: Thank you. Ms. Hogle, do you
16 have any questions for Mr. Thomson?

17 MS. HOGLE: No questions.

18 CHAIRMAN LEVAR: Mr. Moore.

19 MR. MOORE: No questions. Thank you.

20 CHAIRMAN LEVAR: Mr. Dodge.

21 MR. DODGE: No questions.

22 CHAIRMAN LEVAR: Commissioner White.

23 COMMISSIONER WHITE: No questions. Thank you.

24 CHAIRMAN LEVAR: Commissioner Clark.

25 COMMISSIONER CLARK: No questions. Thank you

1 very much.

2 CHAIRMAN LEVAR: And none from me either.

3 Thank you for your testimony today, Mr. Thomson.

4 THE WITNESS: Thank you.

5 CHAIRMAN LEVAR: Anything else, Mr. Jetter?

6 MR. JETTER: Nothing further from the Division.

7 Thank you.

8 CHAIRMAN LEVAR: Thank you. Mr. Moore.

9 MR. MOORE: The Office has no witnesses, but I
10 would like to have the pleasure of the record to lodge an
11 objection to preserve issues on appeal.

12 CHAIRMAN LEVAR: Sure. Well, let me just see
13 if there are any objections from parties to you taking a
14 moment to proffer your position. I'm not seeing any
15 objection.

16 MS. HOGLE: No objection.

17 CHAIRMAN LEVAR: Thank you. Mr. Moore.

18 MR. MOORE: The Division's April 4th memorandum
19 was filed in accordance with the Commission's February,
20 16, 2017 Order in Docket No. 09-035-15, which imposed
21 interim rate procedures into the EBA mechanism.

22 As this Commission is aware, a portion of the
23 order imposing interim rates has been appealed by the
24 Office and the Utah Association of Energy Users in two
25 appeals, number 20170364 Supreme Court and 20180536 Supreme

1 Court.

2 In order not to waive any issues presented in
3 those appeals, the Office objects to all portions of the
4 Division's April 4th memorandum, which reference the
5 imposition of, and the procedures for, the application of
6 interim rates in the EBA mechanism.

7 The Office also objects to the Division's
8 alternative suggestion that the Commission adjust the net
9 power component of base rates until the conclusion of the
10 Division's audit and related process which allow
11 establishments of final rates.

12 As set out in our reply comments, the Office's
13 position is that base rates may only be adjusted in the
14 generate rate case. This pursuant to the EBA statute and
15 the general rate statute.

16 Therefore, whatever the reasons for the
17 Division's request to adjust rate base, the Commission
18 lacks statutory authority to do so. That concludes my
19 statement. Thank you.

20 CHAIRMAN LEVAR: Thank you. Commissioner
21 Clark, do you have any questions for Mr. Moore?

22 COMMISSIONER CLARK: I don't. Thank you.

23 CHAIRMAN LEVAR: Commissioner Mr. White.

24 COMMISSIONER WHITE: I have no questions.

25 Thank you.

1 CHAIRMAN LEVAR: Thank you, Mr. Moore. Do you
2 have anything further?

3 MR. MOORE: Nothing further. Thank you.

4 CHAIRMAN LEVAR: Thank you. Mr. Dodge.

5 MR. DODGE: Thank you, Mr. Chairman. UAE has
6 no witnesses. UAE has filed reply comments that state our
7 legal position and we believe that's part of the record and
8 that's all we need to say.

9 CHAIRMAN LEVAR: Okay. Thank you.
10 Commissioner White, any questions for Mr. Dodge?

11 COMMISSIONER WHITE: I have no questions.
12 Thank you.

13 CHAIRMAN LEVAR: Commissioner Clark.

14 COMMISSIONER CLARK: No questions.

15 CHAIRMAN LEVAR: Thank you. Anything further
16 from anyone? Okay. We will be adjourned to take the
17 matter under advisement. Thank you.

18 (The hearing concluded at 10:15 a.m.)

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C E R T I F I C A T E

STATE OF UTAH)

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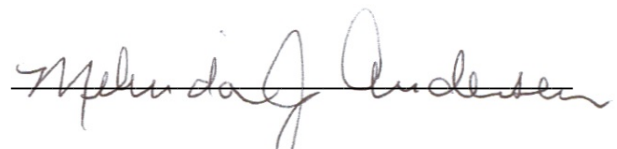
COUNTY OF SALT LAKE)

I, Melinda J. Andersen, Certified Shorthand Reporter and Notary Public in and for the County of Salt Lake and State of Utah, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth, and were taken down by me in shorthand and thereafter transcribed into typewritten under my direction and supervision:

That the foregoing 15 pages contain a true and correct transcription of my shorthand notes so taken.

WITNESS MY HAND and official seal at Salt Lake City, Utah this 2nd day of May, 2019.



My Commission Expires:
February 10, 2022

Melinda J. Andersen, C.S.R.

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