

ROBERT J. MOORE (5764)  
Assistant Attorney General  
VICTOR P. COPELAND (13511)  
Special Assistant Attorney General  
Utah Attorney General  
160 East 300 South, Fifth Floor  
P.O. Box 140857  
Salt Lake City, Utah 84114-0856  
Telephone: (801) 366-0312  
Facsimile: (801) 366-0101  
E-mail: [rmoore@agutah.gov](mailto:rmoore@agutah.gov)  
[vcopeland@agutah.gov](mailto:vcopeland@agutah.gov)  
*Attorneys for Utah Office of Consumer Services*

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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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Application of Rocky Mountain Power for  
Approval of the 2020 Inter-Jurisdiction Costs  
Allocation Agreement

Docket No. 19-035-42  
OFFICE OF CONSUMER SERVICE'S  
COMMENTS ON HEARING

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Pursuant to Utah Code Ann. § 54-10a-301, UTAH ADMIN. CODE r. 746-1-101 through 801 and the Public Service Commission of Utah's ("PSC") March 11, 2020 Request for Comments on Hearing the Office of Consumer Services ("OCS") submits these comments.

**BACKGROUND**

On December 3, 2019, Rocky Mountain Power ("RMP") filed an application which included a settlement agreement joined by multiple parties representing all of RMP's six state territories and written testimony in support of the settlement. Thereafter, the OCS, Utah Division of Public Utilities ("DPU") and Western Resource Advocates filed testimony also in support of the settlement. On March 13, 2020, the PSC issued its Request for Comments on

Hearing seeking comments on whether, in “light of current efforts to limit in-person gatherings” the PSC is “requesting comments on whether the hearing scheduled for Tuesday, March 24, 2020, is necessary. In the alternative, comments also may address whether a fully telephonic hearing would be appropriate.” On March 16, 2019, the DPU filed Comments arguing that a full hearing be conducted telephonically to enable sworn testimony in support of the settlement, subject to cross examination, to be admitted into evidence.

### **DISCUSSION**

The OCS does not oppose the DPU’s position that a full hearing be conducted telephonically and agrees that a full hearing is necessary to enter the parties’ pre-filed testimony into evidence. However, the OCS would also not object to cancelling the hearing if the other parties strongly believe that a hearing is not necessary and the PSC believes that, on the face of the settlement agreement itself, it can make the determination that the settlement is in the public interest and “just and reasonable in result.” Utah Code §54-7-1(3)(d). In such a case, the OCS would agree to forgo the introduction of their pre-filed testimony into evidence.

However, consistent with the PSC Request for Comments on Hearing, the OCS believes that under no circumstance should an in—person hearing be conducted given the justifiable concerns over the possible spread of the Covid 19 virus.

Respectfully submitted, March 19, 2020.

/s/ Robert J. Moore  
Robert J. Moore  
*Attorney for the Utah Office of  
Consumers Services*