

SECOND SUPPLEMENTAL ACTION REQUEST

Date: August 12, 2020

FROM: Public Service Commission

Due: August 27, 2020*

SUBJECT: Formal Complaint – LaVoy Tolbert v. Garkane Energy Cooperative, Inc.,
Docket No. 20-028-01

(Company Name, Case Number, etc.)

5/18/2020

20-028-01

FORMAL COMPLAINT Formal Complaint of LaVoy Tolbert against Garkane Energy Cooperative, Inc.

This is a request for the Division of Public Utilities (DPU) to provide analysis, evaluation results, and the basis for conclusions and recommendations regarding the following:

- Review for Compliance and Make Recommendations
- Review Application and Make Recommendations
- Review the Complaint and Indicate Whether the DPU Has a Recommendation
- Review Notice and Make Recommendations
- Review Request for Agency Action and Make Recommendations
- Respond in Accordance with the Notice of Filing and Request for Comments
- Investigate and Provide any Appropriate Recommendation
- Other – Explanation and Statement of Issues to be Addressed (See Below):

In 2016 the enactment of House Bill 266 amended certain section of Utah Code Ann. § 54-3-26, Retention of unclaimed capital credits by electric and telephone cooperatives -- Use of retained money -- Reporting requirements, including subsections (4) (establishing criteria for recipients of financial assistance) and (5) (annual information to be provided to the PSC). (see <https://le.utah.gov/~2016/bills/static/HB0266.html>)

Please review and evaluate information provided by Garkane Energy to DPU since 2016, including Garkane's 2016 through 2019 annual reports (including Tab 17 of the form [Electric Cooperative Association Annual Report](#)), for compliance with the UCA § 54-3- 26(5) and provide recommendations. Please include in the DPU's response copies of Garkane Energy's Annual Reports submitted to DPU since 2016 and any other filings informing the DPU's evaluation.

*In the event the PSC issues an order or notice providing dates for comments and/or testimony in this docket:

- The DPU shall respond consistent with the order or notice;
- The order or notice, including any deadlines, shall supersede and replace this action request; and
- This action request shall be deemed withdrawn.