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Department of Commerce Division of Public Utilities

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Action Request Response

To: Public Service Commission of Utah

From: Utah Division of Public Utilities

Artie Powell, Director

Doug Wheelwright, Utility Technical Consultant Supervisor

Brenda Salter, Utility Technical Consultant Supervisor

Abdinasir Abdulle, Utility Technical Consultant

Jeff Einfeldt, Utility Technical Consultant

Date: September 9, 2020

Re: **Docket No. 20-035-28**, Acknowledgement.

Recommendation (Approval)

The Division of Public Utilities (Division) recommends that the Public Service Commission (Commission) acknowledge Rocky Mountain Power's (RMP) Utah Wildland Fire Protection Plan (WFPP) as complying with Utah Code § 54-24-201 – Wildland Fire Protection Plan for a qualified utility.

Background

Pursuant to Utah Code § 54-24-201(3), on June 1, 2020, RMP filed its WFPP. On June 22, 2020, the Commission issued a Scheduling Order and Notice of Technical Conference in which the Commission set the deadline for comments from Utah Division of Forestry, Fire, and State Lands for July 22, 2020. All other interested parties were to provide comments by August 17, 2020, with reply comments from all parties on Wednesday, September 9, 2020.

On July 13, 2020, RMP conducted a Technical Conference. On August 13, 2020, the Utah Division of Forestry, Fire, and State Lands filed its comments on the WFPP. On August 17, 2020, the Division and the Office of Consumer Services (Office) filed their comments. On August 27, 2020, the Commission issued a Supplemental Action Request which asked the Division to “provide an evaluation and recommendation whether, according to Utah Code § 54-24-201(3)(c), RMP’s Wildland Fire Protection Plan is (i) reasonable and in the public interest; and (ii) appropriately balances the costs of implementing the plan with the risk of a potential wildland fire.” This memorandum represents the Division’s response to the Commission’s Supplemental Action Request.

Discussion and Recommendation

Utah Legislature House Bill (H.B.) 66, Wildland Fire Planning and Cost Recovery Act requires RMP to prepare and submit for approval a WFPP and requires the Commission to review and approve the wildland fire protection plan. Utah Code 54-24-201(3)(c) states that the PSC shall approve a wildland fire protection plan if the plan is: (i) reasonable and in the public interest; and (ii) appropriately balances the costs of implementing the plan with the risk of a potential wildland fire.

The Division performed a detailed review of RMP’s filing, participated in RMP’s Technical Conference and other webinars hosted by REML and WECC. Further, the Division reviewed the comments filed by the Utah Division of Forestry, Fire and State Lands.

Though the Division did not perform specific tests regarding balancing the costs of implementing the plan with the risk of a potential wildland fire, the Division did focus on the components of the plan and how the plan could, taken together, be expected to reduce the possibility of wildland fire and its potential impacts. As the Division indicated in its comments filed on August 17, 2020, RMP’s WFPP adhered to and thoroughly discussed all of the items required by the Code. RMP’s plan attempts to protect the public, minimize the chance that RMP’s power lines will start a wildland fire, and speed up the recovery or restoration of service from any wildfire that may occur.

In achieving these objective, RMP used extensive resources including its own experts and experts from Reax Engineering Inc. which has expertise in wildfire risk mapping for electric utilities. RMP also sought and obtained inputs from the Utah Division of Forestry, Fire and State Lands, the Bureau of Land Management, and the National Forest Service. This helped RMP to better understand the issues surrounding wildland fires and to prepare a reasonable plan.

RMP has estimated the capital and O&M costs of the planned mitigation activities and has identified the costs that would be necessary to implement this plan. The Division has reviewed the costs and did not identify problems. The Division believes the plan appropriately balances the costs of implementation with the risk of a potential wildland fire as required by the code. The Division concludes the plan is reasonable and in the public interest and recommends the Commission approve RMP's filing.

However, the Division recognizes that the strategies contained in this plan are evolving and are subject to change as technology and other circumstances change. The estimated costs will likely change in the future and should be monitored and reviewed.

Conclusion

Based on its review of RMP's filing , the Division recommends the Commission approve RMP's filing as complying with Utah Code § 54-24-201.

Cc: Jana Saba, Rocky Mountain Power
Michele Beck, Office of Consumer Services