



State of Utah

Department of Commerce Division of Public Utilities

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Recommendation

To: Public Service Commission of Utah

From: Utah Division of Public Utilities

Artie Powell, Director

Doug Wheelwright, Utility Technical Consultant Supervisor

David Williams, Utility Analyst

Date: September 30, 2020

Re: **Docket No. 20-035-38**, Notice Pursuant to Utah Code Ann. § 54-17-502(6)(b)

Recommendation (No Action)

Rocky Mountain Power (RMP or Electric Utility) filed notice with the Public Service Commission (Commission) that it “does not reasonably anticipate” acquiring additional renewable resources “at this time” but may pursue such resources in 2021 “if the right opportunity arises.” Given RMP is not anticipating acquiring any additional renewable resources at this time, the Division recommends the Commission take no action.

Issue

On August 31, 2020, pursuant to Utah Code Ann. § 54-17-502(6)(b), RMP filed notice with the Commission that it “does not reasonably anticipate it will acquire any additional renewable resources at this time.” However, the Electric Utility’s notice indicated that it may do so in 2021 “if the right opportunity arises.” The Commission directed the Division to review the notice and make recommendations by September 30, 2020.

The cited code requires that an electric utility notify the Commission at least 60 days prior to the commencement of construction if it constructs a renewable resource outside the solicitation process:

An affected electrical utility that constructs a renewable energy source outside the solicitation process of this section or Section 54-17-201 shall file a notice with the commission at least 60 days before the date of commencement of construction, indicating the size and location of the renewable energy source. (54-17- 502(6)(b)).

Given RMP's notice indicates it is not acquiring additional resources at this time but may do so in the future only if circumstances warrant, the Division recommends the Commission take no action. The Division notes that the statute requires that the electric utility file notice in the event it is taking action. Therefore, the Division views RMP's current notice for informational purposes and expresses appreciation for its proactive measure.

Cc: Jana Saba, Rocky Mountain Power