

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Application of Rocky Mountain Power for Approval of Agreement with Beaver City and Amendment of Certificate of Public Convenience and Necessity	<u>DOCKET NO. 21-035-03</u> <u>NOTICE OF FILING AND COMMENT PERIOD</u>
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ISSUED: January 27, 2021

On January 22, 2021, Rocky Mountain Power (RMP) filed its Application for Approval of Agreement with Beaver City and Amendment of Certificate of Public Convenience and Necessity (“Application”) with the Public Service Commission (PSC). RMP attached an agreement with Beaver City (“Agreement”), which realigns the boundary of a small segment of service territory between RMP and Beaver City. Under the Agreement, RMP will relinquish certain service territory to Beaver City and gain certain other territory. RMP represents the territory adjustment is proportionately minimal, mutually advantageous, and will provide a more straightforward, straight-line boundary. RMP asks the PSC to approve the Agreement and to amend RMP’s Certificate of Public Convenience and Necessity No. 1686 consistent with the Agreement. RMP specifies that it makes this request pursuant to Utah Code Ann. § 54-4-25.

Utah Code Ann. § 54-4-40 generally governs agreements that RMP enters with municipalities regarding service within each other’s respective service territory. Under that statute, agreements are automatically approved 20 days after the PSC issues notice of the agreement unless the PSC determines that additional time is warranted and in the public interest or a person the agreement affects requests the PSC to hold a hearing or to provide additional time for investigation. Because RMP makes its Application under Utah Code Ann. § 54-4-25 (which pertains to certificates of convenience and necessity) instead of Utah Code Ann. § 54-4-40, the PSC understands the Application is not made under the latter section and therefore the

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Application will not be statutorily approved by default 20 days after the date of this notice. While the PSC has made no conclusions of law on the issue, this appears appropriate on preliminary review insofar as the Agreement seeks to actually modify RMP's underlying service territory. If any party or interested person objects to this treatment, they must file notice with the PSC of such objection no later than **Wednesday, February 3, 2021**.

Otherwise, any interested party may submit comments on RMP's Application on or before **Thursday, February 25, 2021** and may submit reply comments on or before **Friday, March 12, 2021**.

DATED at Salt Lake City, Utah, January 27, 2021.

/s/ Michael J. Hammer
Presiding Officer

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#317105

CERTIFICATE OF SERVICE

I CERTIFY that on January 27, 2021, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Email:

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