



**John Hutchings**  
**Senior Attorney**  
**Office of General Counsel**  
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**Tel. (801) 220-4545**  
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June 25, 2021

***VIA ELECTRONIC FILING***

Public Service Commission of Utah  
Heber M. Wells Building, 4<sup>th</sup> Floor  
160 East 300 South  
Salt Lake City, UT 84114

Attention: Gary Widerburg  
Commission Administrator

RE: In the Matter of the Application of Rocky Mountain Power for Approval of its Amended Agreement for Electric Service with Nephi City, Utah – Docket No. 21-035-41

Dear Mr. Widerburg:

Rocky Mountain Power (“Company”) hereby submits for filing a Request for Approval of an Amendment to the Electric Service Agreement in the above referenced matter.

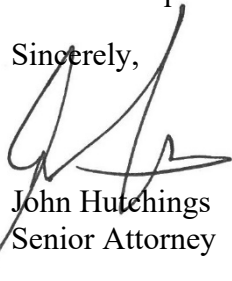
This application requests approval of a routine amendment to an existing agreement with Nephi City. The Company respectfully requests that all formal correspondence and requests for additional information regarding this filing be addressed to the following:

By E-mail (preferred): [Datareq@PacifiCorp.com](mailto:Datareq@PacifiCorp.com)  
[Jana.Saba@PacifiCorp.com](mailto:Jana.Saba@PacifiCorp.com)

By regular mail: Data Request Response Center  
PacifiCorp  
825 NE Multnomah, Suite 2000  
Portland, OR 97232

Informal inquiries may be directed to Jana Saba at (801) 220-2823.

Sincerely,



John Hutchings  
Senior Attorney

Enclosures  
Cc: Service List (w/ enclosures)

## **CERTIFICATE OF SERVICE**

Docket No. 21-035-41

I hereby certify that on June 25, 2021, a true and correct copy of the foregoing was served by electronic mail to the following:

### **Utah Office of Consumer Services**

Michele Beck [mbeck@utah.gov](mailto:mbeck@utah.gov)  
[ocs@utah.gov](mailto:ocs@utah.gov)

### **Division of Public Utilities**

[dpudatarequest@utah.gov](mailto:dpudatarequest@utah.gov)

### **Assistant Attorney General**

Patricia Schmid [pschmid@agutah.gov](mailto:pschmid@agutah.gov)  
Justin Jetter [jjetter@agutah.gov](mailto:jjetter@agutah.gov)  
Robert Moore [rmoore@agutah.gov](mailto:rmoore@agutah.gov)  
Victor Copeland [vcopeland@agutah.gov](mailto:vcopeland@agutah.gov)

### **Rocky Mountain Power**

Data Request Response Center [datarequest@pacificorp.com](mailto:datarequest@pacificorp.com)  
Jana Saba [jana.saba@pacificorp.com](mailto:jana.saba@pacificorp.com)  
[utahdockets@pacificorp.com](mailto:utahdockets@pacificorp.com)  
John Hutchings [John.hutchings@pacificorp.com](mailto:John.hutchings@pacificorp.com)

### **Nephi, Utah**

Seth Atkinson [sethatkinson@nephi.utah.gov](mailto:sethatkinson@nephi.utah.gov)



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Mary Penfield  
Adviser, Regulatory Operations

John Hutchings (14514)  
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Office of General Counsel  
1407 West North Temple, Suite 320  
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Tel. (801) 220-4545  
[John.Hutchings@PacifiCorp.com](mailto:John.Hutchings@PacifiCorp.com)

*Attorney for Rocky Mountain Power*

**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

In the Matter of the Application of Rocky Mountain Power for Approval of its Amendment to Agreement for Electric Service to Additional Customers with City of Nephi, Utah	DOCKET NO. 21-035-41  <b>REQUEST FOR APPROVAL OF AMENDMENT TO ELECTRIC SERVICE AGREEMENT</b>
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Pursuant to Utah Code Ann. § 63G-4-201, 203 and Utah Admin. Code R746-1-202, Rocky Mountain Power (“Company”) respectfully requests that the Public Service Commission of Utah (“Commission”) approve its Amendment to the Agreement for Electric Service to Additional Customers (“Agreement”) with the City of Nephi, Utah (“City”) whereby the Company agrees to allow the City to provide electric service to certain customers (“Additional Customer(s)”) outside its municipal boundary and located within Rocky Mountain Power’s certificated service territory. This Amendment amends the existing Agreement which was approved by the Commission in Docket No. 14-035-51. A copy of the Amendment is attached hereto as Attachment 1. In support of this petition, the Company states as follows:

1. Rocky Mountain Power is a public utility in the state of Utah and is authorized by a certificate of public convenience and necessity issued by the Commission

to provide electric service to customers, inclusive of the Additional Customer(s), in areas outside the municipal boundary of the City. Rocky Mountain Power's principal place of business in Utah is 1407 West North Temple, Suite 320, Salt Lake City, Utah 84116.

2. Certain Additional Customer(s), identified more particularly in Exhibit A to the Amendment, have requested service from the City, which electric service is located outside the municipal boundaries of the City. Exhibit B to the Amendment shows the relative location of the Additional Customer(s) to the nearest City distribution facilities and the nearest Rocky Mountain Power distribution facilities. The Additional Customer(s) are located nearer to the City distribution facilities than to the nearest Rocky Mountain Power distribution facilities. The Additional Customer(s) are not currently receiving electric service at the requested location(s) from either the Company or City.

3. The City is a municipal provider of retail electric service within the municipal boundaries of the City. The City desires to provide electric service to certain Additional Customer(s), identified more particularly in Exhibits A and B to the Amendment, outside its municipal boundary. The municipal offices of the City are located at 21 East 100 North, Nephi, Utah, 84648.

4. The Legislature of the State of Utah passed Senate Bill 180 (the "Bill") during the 2013 General Session of the Legislature amending Utah Code Ann. § 10-8-14 regarding electric service by a municipal utility outside of its municipal boundaries. The Bill became law on May 13, 2013.

5. Pursuant to Utah Code Ann. § 10-8-14(5) the City has submitted a request to the Company to provide electric service to the Additional Customer(s), Rocky Mountain Power has agreed to allow the City to provide electric service to the Additional

Customer(s), and the Company and the City have entered into the Amendment for the provision of electric service to the Additional Customer(s), subject to the approval of the Public Service Commission.

6. The Parties have entered into the Amendment, subject to the Commission's approval, in compliance with Utah Code Ann. §§ 10-8-14 and 54-4-40 to provide terms and conditions for the Municipality to provide electric service to Additional Customer(s) in accordance with the terms and conditions of the Agreement.

7. Communications regarding this filing should be addressed to:

**If to Rocky Mountain Power:**

Renee A. Tuckett  
Business Analyst  
Rocky Mountain Power  
70 North 2<sup>nd</sup> East  
American Fork, Utah 84003  
E-mail: [Renee.Tuckett@rockymountainpower.net](mailto:Renee.Tuckett@rockymountainpower.net)

John Hutchings  
Rocky Mountain Power  
Office of General Counsel  
1407 West North Temple, Suite 320  
Salt Lake City, Utah 84116  
E-mail: [John.Hutchings@PacifiCorp.com](mailto:John.Hutchings@PacifiCorp.com)

Data requests for the Company should be addressed in the following manner with copies to the Company's counsel:

By email (preferred):

[Datareq@PacifiCorp.com](mailto:Datareq@PacifiCorp.com)  
[Jana.Saba@PacifiCorp.com](mailto:Jana.Saba@PacifiCorp.com)

By regular mail:

Data Request Response Center  
PacifiCorp  
825 NE Multnomah, Suite 2000  
Portland, Oregon 97232

If to the City of Nephi, Utah:

Seth Atkinson  
City Administrator  
21 East 100 North  
Nephi, Utah 84648  
[sethatkinson@nephi.utah.gov](mailto:sethatkinson@nephi.utah.gov)

8. The City has authorized Rocky Mountain Power to represent to the Commission that they join with Rocky Mountain Power in requesting approval of the Amendment between the parties.

WHEREFORE, Rocky Mountain Power, and the City respectfully request that the Commission approve the attached Amendment permitting the City to serve the Additional Customer(s) within Rocky Mountain Power's certificated service territory upon the terms and conditions of the Agreement.

DATED this 25<sup>th</sup> day of June, 2021.



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John Hutchings (U4514)  
Rocky Mountain Power  
Office of General Counsel  
1407 West North Temple, Suite 320  
Salt Lake City, Utah 84116  
Tel. (801) 220-4545  
[John.Hutchings@PacifiCorp.com](mailto:John.Hutchings@PacifiCorp.com)

*Attorney for Rocky Mountain Power*

## **ATTACHMENT 1**

### **Amendment to Agreement for Electric Service to Additional Customers**

**AMENDMENT  
AGREEMENT FOR ELECTRIC SERVICE BY MUNICIPALITY TO  
ADDITIONAL CUSTOMER(S) AFTER JUNE 15, 2013 OUTSIDE OF  
MUNICIPAL BOUNDARY**

This Amendment ("Amendment") to the Agreement for Electric Service by Municipality to Additional Customer(s) After June 15, 2013 Outside of Municipal Boundary Agreement, dated September 27, 2013, and approved by the Utah Public Service Commission on December 4, 2013, in Docket 13-035-162, and entered into between Nephi City, a municipal corporation organized under the laws of the state of Utah (the "Municipality"), and PacifiCorp, an Oregon corporation doing business in Utah as Rocky Mountain Power ("Rocky Mountain Power") (collectively, the "Parties") amends the Agreement by adding another customer to the Agreement. All capitalized terms not defined herein shall have the meanings ascribed thereto in the Agreement. The Agreement is amended in the following respects only:

1. Exhibits A and B attached hereto shall be incorporated into and become part of the Agreement and shall be subject to the terms of the Agreement.
2. All other terms of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their duly authorized officers as of the last of the dates set forth below.

**NEPHI CITY, a municipal corporation  
organized under the laws of the State of  
Utah**

Signature: 

Print Name: Rust Finlinson

Title: Nephi City Power Superintendent

Date: 6-02-2021

ATTEST:

Signature: 

Print Name: Seth Atkinson

Title: Nephi City Administrator

**PACIFICORP, an Oregon corporation doing  
business in Utah as ROCKY MOUNTAIN  
POWER**


Signature: William Comeau

Print Name: William Comeau

Title: Vice President, Customer Experience &  
Innovation

Date: June 15, 2021

Approved as to form:

Signature: 

Print Name: John Hutchings

Title: Senior Attorney

Date: June 15, 2021

## **Exhibit A**

REDACTED

**CONFIDENTIAL**

**EXHIBIT A**

**IDENTIFICATION OF ADDITIONAL CUSTOMER(S) LOCATED OUTSIDE THE  
MUNCIPAL BOUNDARY OF THE MUNICIPALITY THAT THE MUNICIPALITY  
PROVIDES ELECTRIC SERVICE TO PURSUANT TO PARAGRAPH 1 (THE  
“ADDITIONAL CUSTOMER(S)”)**

No.	Customer	Customer Site Address
1.		

## **Exhibit B**

**EXHIBIT B**  
**MAP OF SITE LOCATIONS**

