

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Dixie Power's Proposed Tariff Revisions

DOCKET NO. 21-066-T02

ORDER SUSPENDING TARIFF REVISIONS

ISSUED: March 12, 2021

On February 12, 2021, Dixie Power ("Dixie") filed with the Public Service Commission (PSC) proposed revisions ("Revisions") to its tariff to be effective April 1, 2021. The Revisions include an interruptible irrigation rate for the Flowell Division of Dixie¹ and a large commercial time of use rate for Dixie's large commercial and off-peak customers. Dixie represents that its governing board approved the Revisions on January 6 and February 3, 2021.

On February 26, 2021, the Division of Public Utilities (DPU) filed an Action Request Response ("DPU's Response"), representing that while the Revisions appear to be reasonable, Dixie failed to notify its customers about them. DPU asserts the law required Dixie to hold a public meeting and to mail all members notice of that meeting at least 10 days prior. *See* Utah Code Ann. § 54-7-12(7)(c). Based on Dixie's apparent failure to comply with the statute, DPU recommends the PSC suspend the Revisions pending customer notification and a public meeting.

On March 1, 2021, the PSC issued a Notice of Filing and Comment Period pertaining to DPU's Response. On March 8, 2021, Dixie submitted correspondence to the PSC, representing that it would "proceed with public notice and meetings and follow up."

¹ According to Dixie, the interruptible irrigation rate for the Flowell Division was developed to fulfill a commitment as part of Dixie's recent acquisition of Flowell Electric.

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Because Dixie appears to concede that it has not yet satisfied statutory requirements pertaining to notice and a public meeting, the Revisions are suspended and shall not become effective by operation of statute or otherwise until the PSC approves them.

DATED at Salt Lake City, Utah, March 12, 2021.

/s/ Michael J. Hammer
Presiding Officer

Approved and confirmed March 12, 2021, as the Order of the PSC.

/s/ David R. Clark, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#317710

CERTIFICATE OF SERVICE

I CERTIFY that on March 12, 2021, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Email:

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