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UTAH 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

Chris Parker, Director

Artie Powell, Manager

Doug Wheelwright, Utility Technical Consultant Supervisor

Bhavana Venjimuri, Utility Analyst

Date: July 20, 2022

Re: **Docket No. 22-022-T02**, Bridger Valley Electric Association's Proposed Tariff Revisions.

Recommendation (Acknowledge)

The Division of Public Utilities (Division) recommends that the Utah Public Service Commission (Commission) acknowledge the rate changes with the accompanying tariff sheets for certain customers that receive service from Bridger Valley Electric Association (Bridger). The effective date for the new rates is July 1, 2022.

Issue

On June 25, 2022, Bridger sent a copy of its new tariff rate schedule to the Commission along with a cover letter informing the Commission of the change in rates. Bridger's Board of Directors (Board) approved the rate schedule changes in a meeting held June 14, 2022, with an effective date for the new rates of July 1, 2022. Two tariff rates are affected by this change, Industrial and High Density rates. Bridger is requesting the Commission accept and file the new rate schedules.

Division of Public Utilities

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Background

On June 25, 2022, Bridger sent the Commission a cover letter and attached its tariff informing it of some upcoming tariff changes. The Commission issued an Action Request to the Division on July 8, 2022, directing it to perform an investigation and issue a response on or before July 22, 2022. This is the result of the Division's investigation and its Action Request Response.

Discussion

In 2018 the Utah Legislature established the criteria by which an out-of-state distribution electric cooperative would be exempt from some Utah Commission regulation ([Utah Code 54-2-202](#)). The out-of-state cooperative must certify to the Commission, that it is subject to the applicable laws, rules, and regulations of the state where it principally operates or is headquartered and meet the other requirements of 54-2-202(2). If the electric cooperative meets these requirements it can expect to be exempt from general Utah Commission oversight (exclusions apply). Bridger is headquartered in Mountain View, Wyoming and has certified that it is subject to the Wyoming laws, rules and regulations. It also notified the Commission that it has filed these same tariff sheets with the Wyoming Public Service Commission.

Conclusion

Bridger meets the above requirements, and as such is exempt from Utah Commission rate regulation jurisdiction. The Division will keep a copy of these tariff sheets as is customary. Given Bridger's position, the Division recommends that the Commission acknowledge the new rates and tariff sheets as requested.

cc: Andy Hewitt General Manager, Bridger Valley Electric Association
Michele Beck, Office of Consumer Services
Jeff Peterson, Utah REA