



## Public Service Commission

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## State of Utah

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*Lieutenant Governor*

September 13, 2022

Mr. Neal Brown  
Marketing and Member Service Manager  
Garkane Energy Cooperative Inc.  
120 West 300 South  
Loa, UT 84747

Re: *Garkane Energy Cooperative, Inc.'s Proposed Tariff Revisions*; Docket No. 22-028-T01

Dear Mr. Brown:

The Public Service Commission (PSC) reviewed Garkane Energy Cooperative, Inc.'s ("Garkane") August 17, 2022 filing of proposed changes to tariff sheets Schedule COG34 Net Metering Service and Schedule SC Plant Investment Fees & Service Charges ("Tariff Revisions"). The PSC also reviewed the comments filed by the Division of Public Utilities (DPU) on August 30, 2022.

DPU recommends the PSC accept and acknowledge the Tariff Revisions, effective September 1, 2022. DPU comments that Garkane notified customers of the Tariff Revisions and held a duly noticed public meeting on August 1, 2022 in which Garkane's Board of Directors approved the Tariff Revisions as required by Utah Code Ann. § 54-7-12(7). However, DPU also states that Garkane's filing did not meet Utah Code Ann. § 54-3-3 which prohibits any changes to a utility's tariffs unless such tariff revisions are filed with the PSC at least 30 days before their requested effective date. Nevertheless, DPU comments that there is no material or significant harm in Garkane's failure to meet the 30-day requirement and therefore recommends the PSC accept and acknowledge the Tariff Revisions, effective September 1, 2022 for good cause.

Utah Code Ann. § 54-3-3 prohibits changes to a utility's tariffs unless filed with the PSC at least 30 days before the requested effective date. Under the statute, revisions may be acknowledged, i.e., become effective, after a notice period of fewer than 30 days "for good cause." Garkane provides no explanation or basis for why its Tariff Revisions should become effective September 1, 2022. Therefore, based on the PSC's review of the Tariff Revisions, DPU's comments and recommendations, and Garkane's failure to provide an explanation or basis that good cause exists for making its Tariff Revisions effective September 1, 2022, the

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Tariff Revisions are acknowledged and effective September 16, 2022. The PSC will make them available for public inspection.

In future filings, the PSC reminds Garkane to follow Utah Code Ann. § 54-3-3 and provide the PSC notice of any new or revised tariff schedule at least 30 days prior to its requested effective date, or provide an explanation that good cause exists for making the revisions effective sooner than the 30-day minimum requirement, to avoid delays or additional administrative processes before PSC acknowledgment.

Sincerely,

/s/ Gary L. Widerburg

PSC Secretary

DW#325443