

UTAH PUBLIC SERVICE COMMISSION

Docket No.: 22-035-01

HEARING

April 26, 2022

ADVANCED REPORTING SOLUTIONS

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UTAH PUBLIC SERVICE COMMISSION

Docket No.: 22-035-01

HEARING

April 26, 2022

1 BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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4 ROCKY MOUNTAIN POWER'S)
5 APPLICATION FOR APPROVAL)
6 OF THE 2022 ENERGY)
7 BALANCING ACCOUNT) Docket No.: 22-035-01

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11 VIDEOCONFERENCED HEARING TAKEN THROUGH

12 ADVANCED REPORTING SOLUTIONS

13 Taken on April 26, 2022

14 1:00 p.m. to 1:28 p.m.

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20 Reported by: Karen A. Haworth, CCR (Utah and
21 New Jersey), RPR, CM, CRR

1 APPEARANCES :

2

3 Michael Hammer
4 Presiding Officer

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6

7 FOR ROCKY MOUNTAIN POWER :

8

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15 DIVISION OF PUBLIC UTILITIES :

16

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1 ADDITIONAL PERSONS ON THE ZOOM MEETING:

2

3 Taryn Hunt

4 Doug Wheelwright

5 Joanna Matyjasik

6 Tyler McIntosh

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1 P R O C E E D I N G S

2 -o0o-

3
4 (Time noted: 1:00 p.m.)

5
6 (Hearing already in progress.)

7 PRESIDING OFFICER MICHAEL HAMMER:

8 ...22-035-01, Rocky Mountain Power's
9 application for approval of the 2022 Energy
10 Balancing Account.

11 My name is Mike Hammer, and I'm the
12 Commission's designated presiding officer.

13 Let's go ahead and take appearances,
14 beginning with Rocky Mountain Power, please.

15 STEPHANIE BARBER: Thank you.

16 Good afternoon, Mr. Hammer.

17 Stephanie Barber, on behalf of Rocky Mountain
18 Power.

19 And with me today are Mr. Jack
20 Painter, net power cost specialist, and
21 Mr. Robert Meredith, director of pricing and
22 tariff policy.

23 The company plans, today, to present
24 Mr. Painter as a witness. And Mr. Meredith is
25 here primarily for any questions.

1 Thank you.

2 PRESIDING OFFICER MICHAEL HAMMER:

3 All right. And for the Division of Public
4 Utilities?

5 JUSTIN JETTER: Good afternoon.

6 Justin Jetter, with the Utah Attorney
7 General's Office, representing the Utah
8 Division of Public Utilities.

9 And we have a few folks on the line
10 today.

11 Gary Smith will be the Division's
12 only witness today.

13 PRESIDING OFFICER MICHAEL HAMMER:

14 Thank you.

15 Is the OCS with us? No?

16 I believe the UAE was the only
17 intervener. Is counsel present or another
18 representative?

19 So, the only parties making
20 appearances on the record will be Rocky
21 Mountain Power and the Division of Public
22 Utilities. Correct?

23 All right. We'll proceed.

24 Ms. Barber, please call your first
25 witness.

1 STEPHANIE BARBER: Thank you.
2 The company calls Mr. Jack Painter.

3 PRESIDING OFFICER MICHAEL HAMMER:
4 Mr. Painter, do you swear to tell the truth?

5 JACK PAINTER: I do.

6
7
8 JACK PAINTER,
9 was called as a witness, and having been
10 first duly sworn to tell the truth, the
11 whole truth, and nothing but the truth,
12 testified as follows:

13 PRESIDING OFFICER MICHAEL HAMMER:
14 Thank you.

15 Go ahead.

16

17 DIRECT EXAMINATION

18 BY STEPHANIE BARBER:

19 **Q. Good afternoon, Mr. Painter. Would**
20 **you please state and spell your full name for**
21 **the record?**

22 A. Yes. Jack Painter, J-a-c-k,
23 P-a-i-n-t-e-r.

24 **Q. And what is your business address?**

25 A. 825 Northeast Multnomah Street,

1 Portland, Oregon 97232.

2 Q. And what is your position with the
3 company?

4 A. Net power cost specialist.

5 Q. And in that capacity, did you
6 prepare and submit pre-filed testimony with an
7 Exhibit JP-1 in this matter?

8 A. Yes.

9 Q. And since you submitted that
10 testimony, have you become aware of any
11 corrections that need to be made to your
12 testimony and exhibit?

13 A. Yes. In reviewing my testimony and
14 exhibit, I discovered an error in the
15 calculation for the carrying charges included
16 in the company's requested recovery in this
17 case. Specifically, for the time period from
18 January 1st, 2022 to March 31st, 2022, which
19 was not updated for the current customer
20 deposit rate under Schedule 300. The result
21 is a decrease in the company's requested
22 recovery of approximately \$200,000.

23 The company wanted to make the
24 Commission and the parties aware of the error
25 at this hearing and note that the company will

1 make this correction in testimony that will be
2 filed on October 21st, 2022.

3 **Q. Thank you.**

4 **And just to be clear, is it the**
5 **company's intention today to request interim**
6 **rates based on its originally-filed**
7 **application?**

8 A. Yes. We are seeking interim rates
9 consistent with our application.

10 **Q. Okay. Thank you.**

11 STEPHANIE BARBER: At this time, I'd
12 like to move to admit Mr. Painter's pre-filed
13 testimony and Exhibit JP-1 into the record.

14 PRESIDING OFFICER MICHAEL HAMMER:
15 It's admitted.

16 STEPHANIE BARBER: Thank you.

17 BY STEPHANIE BARBER:

18 **Q. Mr. Painter, do you have a summary**
19 **of your testimony that you'd like to present**
20 **today?**

21 A. Yes.

22 On March 15th, 2022, Rocky Mountain
23 Power filed its annual Energy Balancing
24 Account or EBA requesting to recover 90.6
25 million of EBA-related costs related to

1 calendar year 2021.

2 As I noted previously, this amount
3 will be corrected to 90.4 million.

4 At this hearing, the company
5 requests to recover 90.6 million over a period
6 of 14 months, which results in a 1.9 percent
7 average EBA rate increase through Schedule 94.
8 The company requests it become effective May
9 1st, 2022 on an interim basis.

10 The request in this application
11 includes four main components. The first,
12 approximately 107.6 million of EBA-related
13 costs.

14 Second, a credit of approximately
15 22.4 million for sales made to a special
16 contract customer.

17 Third, approximately 2.9 million in
18 costs for Utah Situs Resources.

19 And fourth, a charge of
20 approximately 2.6 million of interest, which,
21 as I previously noted, will be corrected to
22 2.4 million.

23 The EBA rate increase is driven by
24 higher net power costs than are currently in
25 base rates, partially due to a large number of

1 extreme weather events during 2021, as
2 described in more detail in my pre-filed
3 direct testimony.

4 The company's proposal is to spread
5 the deferred EBA costs across customer
6 classes, consistent with an EBA allocator that
7 allocates the base EBA amounts approved by the
8 Commission in the 2020 general rate case as
9 described in the application and direct
10 testimony of Mr. Robert Meredith.

11 This proposed rate change is
12 consistent with prior years' filing because it
13 uses substantially similar methodologies to
14 arrive at the total deferred EBA costs.

15 Using these methodologies, the
16 company's determined that the EBA costs have
17 increased and are more likely to reflect
18 actual power costs than the current base
19 rates.

20 The interim rates requested by the
21 company will be subject to future audit by the
22 Division of Public Utilities and available for
23 review by other interested parties.

24 As I explained, these rates will
25 also be updated to reflect the correction

1 previously discussed.

2 For these reasons, the company's
3 interim rates are consistent with prior years'
4 filing and are more likely to reflect actual
5 power cost than current base rates.

6 Therefore, I respectfully request
7 that the Commission approve the interim rates
8 provided in the company's application to be
9 effective May 1st, 2022, subject to rate
10 refund or surcharge.

11 **Q. Thank you.**

12 STEPHANIE BARBER: Mr. Painter is
13 available for cross-examination or hearing
14 officer questions.

15 Thank you.

16 PRESIDING OFFICER MICHAEL HAMMER:
17 Mr. Jetter?

18 JUSTIN JETTER: I have no questions.
19 Thank you.

20 PRESIDING OFFICER MICHAEL HAMMER:
21 Mr. Painter, I suppose it would be helpful to
22 get a little clarification on the \$200,000
23 correction.

24 I understand it's, arguably, a
25 nominal sum, giving -- given the amount at

1 issue, but was it procedurally just too
2 difficult or did you -- and counsel can -- is
3 free to answer this question as well. But,
4 can you help me understand why we didn't
5 correct it if we knew about the error before
6 the hearing?

7 STEPHANIE BARBER: I'm happy to
8 answer.

9 Yes. We discovered it in
10 preparation for the hearing on Friday. And so
11 it was just timing to make all the corrections
12 necessary to -- to the tariffs, et cetera,
13 prior to the hearing.

14 PRESIDING OFFICER MICHAEL HAMMER:
15 So, it was sufficiently nominal that you
16 determined it was not -- that it was not worth
17 postponing the hearing over, given --

18 STEPHANIE BARBER: That's right.

19 PRESIDING OFFICER MICHAEL HAMMER:
20 -- the established procedure?

21 Okay. That's all I had,
22 Mr. Painter. Thank you.

23 JACK PAINTER: Thank you.

24 PRESIDING OFFICER MICHAEL HAMMER:
25 Ms. Barber, did you intend to call another

1 witness?

2 STEPHANIE BARBER: We'd like to call
3 Mr. Robert Meredith, please.

4 PRESIDING OFFICER MICHAEL HAMMER:
5 Mr. Meredith, do you swear to tell the truth?

6 ROBERT MEREDITH: I do.

7

8

9 ROBERT MEREDITH,
10 was called as a witness, and having been
11 first duly sworn to tell the truth, the
12 whole truth, and nothing but the truth,
13 testified as follows:

14 PRESIDING OFFICER MICHAEL HAMMER:
15 Thanks.

16 Go ahead.

17

18 DIRECT EXAMINATION

19 BY STEPHANIE BARBER:

20 **Q. Good afternoon, Mr. Meredith.**

21 **Would you please state and spell**
22 **your full name for the record?**

23 A. Yes. My name is Robert Meredith,
24 R-o-b-e-r-t. Meredith is spelled
25 M-e-r-e-d-i-t-h.

1 **Q. And what is your business address,**
2 **please?**

3 A. It's 825 Northeast Multnomah Street,
4 Suite 2000, and that's in Portland, Oregon
5 97232.

6 **Q. And what is your position with the**
7 **company?**

8 A. I'm the director of pricing and
9 tariff policy.

10 **Q. And in that capacity, did you submit**
11 **pre-filed testimony and Exhibits RMM-1 through**
12 **3?**

13 A. Yes.

14 **Q. And, Mr. Meredith, do you have any**
15 **changes to your testimony and exhibits?**

16 A. I'm not making any corrections at
17 this time.

18 However, I will update my testimony
19 and exhibits to reflect the correction which
20 was discussed by Mr. Painter today when
21 testimony is filed in October -- on October
22 21st, 2022.

23 **Q. Thank you.**

24 STEPHANIE BARBER: At this time, I'd
25 like to move to admit the pre-filed testimony

1 of -- and exhibits of Mr. Meredith.

2 PRESIDING OFFICER MICHAEL HAMMER:

3 They're admitted.

4 STEPHANIE BARBER: Thanks.

5 And Mr. Meredith is also available
6 for any questions.

7 PRESIDING OFFICER MICHAEL HAMMER:

8 Mr. Jetter?

9 JUSTIN JETTER: I have no questions.
10 Thank you.

11 PRESIDING OFFICER MICHAEL HAMMER:

12 Nor do I.

13 Thank you, Mr. Meredith. Thank you.

14 Any other witnesses, Ms. Barber?

15 STEPHANIE BARBER: No. Thank you.

16 PRESIDING OFFICER MICHAEL HAMMER:

17 Thank you.

18 Mr. Jetter?

19 JUSTIN JETTER: Good afternoon.

20 The Division would like to call and
21 have sworn in Gary Smith.

22 PRESIDING OFFICER MICHAEL HAMMER:

23 Mr. Smith, do you swear to tell the truth?

24 GARY SMITH: I do.

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GARY SMITH,
was called as a witness, and having been
first duly sworn to tell the truth, the
whole truth, and nothing but the truth,
testified as follows:

PRESIDING OFFICER MICHAEL HAMMER:

Thanks.

Go ahead.

DIRECT EXAMINATION

BY JUSTIN JETTER:

**Q. Mr. Smith, would you please state
your name and occupation for the record?**

A. Gary Smith. I'm a utility technical
consultant for the Division of Public
Utilities.

Q. Thank you.

**And in the course of your employment
with the Division, have you had an opportunity
to review the application in this docket?**

A. I have.

**Q. And did you create and cause to be
filed with the Commission initial comments
from the Division in this docket?**

1 A. I did.

2 Q. Do you have any corrections or
3 changes you'd like to make to those?

4 A. I do not.

5 Q. And just for the -- the -- I guess,
6 precision of the record, those are the
7 comments dated April 7th, 2022, titled
8 Preliminary Review?

9 A. That is correct.

10 JUSTIN JETTER: And I'd like to
11 move, at this time, to enter the Division's
12 preliminary comments into the record of this
13 hearing.

14 PRESIDING OFFICER MICHAEL HAMMER:
15 They're admitted.

16 BY JUSTIN JETTER:

17 Q. Mr. Smith, have you prepared a brief
18 summary of the Division's position --

19 A. I have.

20 Q. -- today?

21 [Indiscernible - overtalking]

22 A. Yes, I have.

23 The Division of Public Utilities
24 performed a preliminary review of Rocky
25 Mountain Power's or the company's application

1 to approve the Energy Balancing Account
2 increase and revised electric Schedule 94
3 tariff on an interim basis.

4 As required by Utah code, the
5 overall body of information filed by the
6 company appears consistent with prior years'
7 filings.

8 Based on the Division's decade-long
9 experience with the account, audits and annual
10 Commission proceedings, the Division concludes
11 that the interim rate increase requested is
12 more likely to reflect actual power costs than
13 current base rates and the tariff customer
14 rate spread appears consistent with the
15 approved method.

16 On April 25th of 2022, the company
17 advised the Division that it would disclose an
18 error in calculating the carrying charges
19 during the hearing that would decrease the
20 deferral amount by approximately 200,000 or
21 roughly .2 -- .2 percent as the requested
22 recovery.

23 The Division will continue to audit
24 the company's application, including the
25 disclosed error, and provide the results to

1 the Commission in future proceedings.

2 The Division recommends that the
3 Public Service Commission acknowledge the
4 company's application and approve the
5 company's request for an interim rate increase
6 based on the company's calculated 2021
7 deferral year recovery of 90.6 million,
8 effective May 1st, 2022.

9 That concludes my summary.

10 Q. Thank you.

11 JUSTIN JETTER: And I have no
12 further questions for Mr. Smith. He is
13 available for cross-examination and questions
14 from the hearing officer.

15 PRESIDING OFFICER MICHAEL HAMMER:
16 Ms. Barber?

17 STEPHANIE BARBER: No questions.
18 Thank you.

19 PRESIDING OFFICER MICHAEL HAMMER: I
20 have none, Mr. Smith. Thank you.

21 Any other witnesses, Mr. Jetter?

22 JUSTIN JETTER: Nothing further from
23 the Division. Thank you.

24 PRESIDING OFFICER MICHAEL HAMMER:
25 All right. Is there anything else before we

1 adjourn?

2 STEPHANIE BARBER: Nothing for the
3 company. Thank you.

4 PRESIDING OFFICER MICHAEL HAMMER:
5 Thank you, everyone. Have a wonderful
6 afternoon.

7 We're adjourned.

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9 (This public hearing concluded at
10 1:28 p.m.)

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1 REPORTER'S CERTIFICATION

2
3 STATE OF UTAH)
4)
5 COUNTY OF WASHINGTON)

6 I, KAREN A. HAWORTH, a Utah
7 Certified Court Reporter (CCR), nationally
8 certified Registered Professional Reporter
9 (RPR), nationally certified Certificate of
10 Merit holder (CM), nationally certified
11 Certified Realtime Reporter (CRR), nationally
12 certified Certified LiveNote™ Reporter (CLR),
13 and Notary Public of the State of Utah, hereby
14 certify:

15 That the foregoing proceedings were
16 taken before me at the time and place therein
17 set forth, at which time the witness was
18 placed under oath to tell the truth, the whole
19 truth, and nothing but the truth; that the
20 proceedings were taken down by me in
21 stenographic form and, thereafter, my notes
22 were transcribed through computer-aided
23 transcription; and the foregoing transcript
24 constitutes a full, true, and accurate record
25 of such testimony adduced and oral proceedings
had, and of the whole thereof.

I further certify that I am not a
relative or employee of any attorney of the
parties, nor do I have a financial interest in
the action.

I have subscribed my name on the
date stated.



20 KAREN A. HAWORTH, CCR,RPR,CM,CRR
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22 Registered Professional Reporter(RPR)
23 Certificate of Merit holder (CM)
24 Certified Realtime Reporter (CRR)
25 Notary Public of the State of Utah

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