

# PUBLIC SERVICE COMMISSION OF UTAH

Docket No. 22-035-07

## HEARING

May 19, 2022

### ADVANCED REPORTING SOLUTIONS

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1 BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

2 -o0o-

3  
4 Application of Rocky )  
Mountain Power for Authority )  
5 to Revise Rates in Tariff )  
Schedule 98, Renewable )  
6 Energy Credits Balancing )  
Account )  
7 ) Docket No. 22-035-07  
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11 VIDEOCONFERENCED HEARING TAKEN THROUGH  
12 ADVANCED REPORTING SOLUTIONS VIA ZOOM

13 Taken on May 19, 2022

14 9:01 p.m. to 9:21 a.m.

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20 Reported by: Michelle Mallonee, RPR, CCR  
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1 APPEARANCES

2 MICHAEL J. HAMMER, Hearing Officer

3 For the Division of Public Utilities:

4 PATRICIA SCHMID, ESQ.  
5 UTAH ATTORNEY GENERAL'S OFFICE  
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8 For PacifiCorp:

9 STEPHANIE BARBER-RENTERIA, ESQ.  
10 PACIFICORP  
11 1407 West North Temple, Suite 320  
12 Salt Lake City, Utah 84116  
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Stephanie.barber-renteria@pacificorp.com

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

2 -o0o-

3 HEARING OFFICER HAMMER: Let's go on the record.

4 We should all be here for the hearing noticed in  
5 the application of Rocky Mountain Power for Authority to  
6 Revise Rates in Tariff Schedule 98, Renewable Energy  
7 Credits Balancing Account. It's Commission Docket No.  
8 22-035-07.

9 My name is Michael Hammer. I'm the Commission's  
10 designated presiding officer.

11 We'll take appearances beginning with Rocky  
12 Mountain Power, please.

13 MS. BARBER: Good morning. This is Stephanie  
14 Barber on behalf of Rocky Mountain Power. With me today  
15 are Mr. Michael Wilding, vice president of energy supply  
16 and management; Mr. Robert Meredith, director of pricing  
17 and tariff policy; and Mr. Nicholas Highsmith, revenue  
18 requirement manager. And Mr. Highsmith will be our  
19 witness today, and Mr. Wilding and Mr. Meredith will be  
20 available for any questions. Thank you.

21 HEARING OFFICER HAMMER: And for the Division of  
22 Public Utilities.

23 MS. SCHMID: Patricia E. Schmid for the  
24 Division. With me as a witness today is Mark Long.

25 HEARING OFFICER HAMMER: For the Office of

1 Consumer Services? No one?

2 Are there any other parties that would like to  
3 enter an appearance? Okay.

4 Is there anything before Ms. Barber calls her  
5 witness?

6 MS. BARBER: The Company calls Mr. Highsmith.

7 HEARING OFFICER HAMMER: Mr. Highsmith, do you  
8 swear to tell the truth?

9 THE WITNESS: I do.

10 HEARING OFFICER HAMMER: Go ahead.

11

12 NICHOLAS HIGHSMITH,  
13 was called as a witness, and having been first duly  
14 sworn to tell the truth, the whole truth, and nothing  
15 but the truth, testified as follows:

16

17 DIRECT EXAMINATION

18 BY MS. BARBER:

19 Q. Good morning, Mr. Highsmith. Would you please  
20 state and spell your full name for the record.

21 A. Yes. My name is Nicholas L. Highsmith,  
22 N-I-C-H-O-L-A-S, L, Highsmith, H-I-G-H-S-M-I-T-H.

23 Q. Thank you. And what is your business address?

24 A. 1407 West North (inaudible) Salt Lake City, Utah  
25 84116.

1 HEARING OFFICER HAMMER: Let me interject. Is  
2 this tenable, the feedback? Are you all able to  
3 understand what's being said.

4 THE COURT REPORTER: I need the address  
5 repeated.

6 HEARING OFFICER HAMMER: Maybe we should all  
7 trying logging out and logging in. Does that seem  
8 tenable?

9 All right. We will recess and reconvene in five  
10 minutes to give everyone an opportunity to log back in,  
11 see if that clears our problem up. Thank you.

12 (A break was taken from 9:04 a.m. to 9:08 a.m.)

13 HEARING OFFICER HAMMER: Mr. Highsmith, I  
14 appreciate that you may not remember exactly where you  
15 were in your testimony. I'll ask that we go back on the  
16 record now.

17 Ms. Barber, if you'd like to restate your last  
18 question.

19 MS. BARBER: Sure.

20 **Q. (BY MS. BARBER:) I think it was: What is your**  
21 **business address?**

22 A. 1407 West North Temple, Salt Lake City, Utah  
23 84116.

24 **Q. And what is your position with the Company?**

25 A. I am employed as revenue requirement manager.

1 Q. And in that capacity, have you reviewed and  
2 become familiar with the testimony and exhibits filed by  
3 Mr. Justin Farr in this matter?

4 A. Yes, I have.

5 Q. And do you adopt that testimony and those  
6 exhibits as your own?

7 A. Yes, I do.

8 Q. Do you have any corrections?

9 A. For purposes of interim rates, I have no  
10 corrections to the testimony or exhibits I am adopting  
11 today.

12 However, in Discovery Request OCS 2.4, the  
13 Company identified a minor correction associated with  
14 Trade ID 6046. This trade was included in the accounting  
15 actuals, however was incorrectly classified for purposes  
16 of renewable portfolio standard banking. This update  
17 would increase the Utah deferral balance from \$1,455,384  
18 to \$1,489,645, or \$34,261.

19 Q. Okay. Subject to that update, if I were to ask  
20 you today the questions contained in Mr. Farr's  
21 testimony, which you have adopted, would your answers be  
22 the same?

23 A. Yes, they would.

24 Q. Thank you.

25 MS. BARBER: At this time, I'd like to move to



1 admit the testimony and exhibits of Justin Farr as  
2 adopted by Mr. Nicholas Highsmith into the record.

3 HEARING OFFICER HAMMER: It's admitted.

4 MS. BARBER: Thanks.

5 Q. (BY MS. BARBER:) Mr. Highsmith, are you  
6 prepared to present a summary of the testimony today?

7 A. Yes, I am.

8 Q. Please proceed.

9 A. Good morning. On March 15th, 2022, Rocky  
10 Mountain Power filed its annual renewable energy credit  
11 balancing account, or RBA, seeking to refund a deferral  
12 balance to Utah customers through Schedule 98 of  
13 approximately 1.5 million over a one-year period,  
14 beginning June 1st, 2022.

15 The RBA deferral is calculated as the difference  
16 between actual REC revenues realized by the Company in  
17 the amount in rates during the deferral period, or  
18 calendar year 2021.

19 The refund amount is also inclusive of a net  
20 carrying charge during the 2021 deferral period and the  
21 interim period of January 1st through May 31st, 2022.  
22 This carrying charge equates to approximately \$92,000.  
23 The deferral balance was calculated in a manner  
24 consistent with previous RBA filings.

25 Mr. Justin Farr, whose testimony I have adopted,

1 Mr. Mike Wilding, and Mr. Meredith filed testimony in  
2 support of the Company's application describing the  
3 calculation.

4 My testimony describes the calculation of the  
5 deferral amounts and the amount of REC revenues allocated  
6 to Utah ratepayers. Mr. Wilding's testimony presents  
7 detailed accounting of the total company REC revenue for  
8 calendar year 2021. And Mr. Meredith's testimony  
9 addresses the allocation of the RBA surcharge among  
10 customer classes and the resulting Tariff Schedule 98  
11 rates in this case.

12 On April 28, 2022, the Division of Public  
13 Utilities filed comments in support of the proposed rate  
14 change, becoming effective on an interim basis on  
15 June 1st, 2022, pending their final audit of REC revenues  
16 contained in this filing. No other party filed comments  
17 in this phase of the proceeding.

18 The Company respectfully requests the Commission  
19 approve the Company's request to return to customers  
20 1.5 million associated with the RBA filing on an interim  
21 basis beginning June 1st, 2022. Thank you.

22 **Q. Thank you.**

23 MS. BARBER: I have no further questions, and  
24 Mr. Highsmith is available for cross-examination and  
25 Commission questions.

1 HEARING OFFICER HAMMER: Ms. Schmid?

2 MS. SCHMID: No questions.

3 HEARING OFFICER HAMMER: And I have none.

4 Thank you, Mr. Highsmith.

5 THE WITNESS: Thank you.

6 HEARING OFFICER HAMMER: Ms. Barber, any other  
7 witnesses?

8 MS. BARBER: Nothing further. Thank you.

9 HEARING OFFICER HAMMER: Ms. Schmid?

10 MS. SCHMID: The Division would like to call  
11 Mark Long as its witness. May he please be sworn.

12 HEARING OFFICER HAMMER: Mr. Long, do you swear  
13 to tell the truth? You're muted, sir.

14 THE WITNESS: Yes, I do.

15 HEARING OFFICER HAMMER: Thank you.

16 Go ahead.

17

18 MARK LONG,

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

22

23 DIRECT EXAMINATION

24 BY MS. SCHMID:

25 Q. Could you please state and spell your name for

1 **the record.**

2 A. Yes, my name is Mark Long, M-A-R-K, L-O-N-G.

3 **Q. By whom are you employed?**

4 A. The Utah Division of Public Utilities.

5 **Q. What is your title and your business address?**

6 A. My title is "Utility Technical Consultant." My  
7 address is 160 East 300 South, Salt Lake City, Utah.

8 **Q. Have you participated on behalf of the Division**  
9 **in this docket?**

10 A. Yes, I have.

11 **Q. Did you participate in the preparation and**  
12 **filing of the DPU's memo entitled, "Application of Rocky**  
13 **Mountain Power for Authority to Revise Rates"?**

14 A. Yes, I did.

15 **Q. This was filed April 28th in redacted and**  
16 **confidential form. So you participated in that?**

17 A. Yes, I did. That's correct.

18 **Q. Do you have any change or corrections to that**  
19 **memo?**

20 A. Yes, I do.

21 The very last paragraph refers to the change in  
22 Schedule No. 98 as a rate increase. It really should  
23 have read as a rate decrease.

24 **Q. With that correction, do you adopt the**  
25 **memorandum as your testimony today?**

1 A. Yes, I do.

2 Q. I would like to move for the admission of the  
3 DPU's memorandum in redacted and confidential form filed  
4 on April 28th of this year.

5 HEARING OFFICER HAMMER: It's admitted.

6 Q. (BY MS. SCHMID:) Do you have a summary to  
7 present today?

8 A. Yes, I do.

9 Q. Please proceed.

10 A. Good morning. As the Company has stated, Tariff  
11 Schedule 98 tracks a difference between renewable energy  
12 credit, also known as "REC" revenues included in rates  
13 and actual REC revenues collected from the sale of RECs  
14 by the Company. The variances between REC revenues  
15 included in rates and actual REC revenues collected are  
16 identified in and deferred each month for one calendar  
17 year.

18 Annually on March 15th, a renewable energy  
19 credit balancing account, or RBA application is filed to  
20 present the variances, including applicable carrying  
21 charges with a 100 percent true-up for the difference  
22 between the amounts in rates and actual sales occurring  
23 through Tariff Schedule 98, if prudent. The collection  
24 or credit under Tariff Schedule 98 will be made annually,  
25 effective June 1st.

1           The application under this docket is a tenth  
2 deferred RBA rate adjustment. This application requests  
3 refunding to Utah customers over one year -- over one  
4 year from June 1st, 2022, through May 31, 2023, the 2022  
5 RBA deferral balance of 1.5 million, which is a net  
6 decrease of 361,000, or 0.02 percent, over the current  
7 collection level of 1.1 million.

8           The Company proposes to allocate the 2022 RBA  
9 deferral revenue across customer classes based on the  
10 Cost-of-Service Factor 10 used in the 2020 general rate  
11 case, Docket No. 20-035-04.

12           This is the third year of the inclusion of the  
13 REC revenue from the sale of RECs to Kennecott Copper for  
14 the nongeneration of renewable energy credit supply  
15 agreement between the Company and Kennecott, which was  
16 dated April 18th, 2019, and was approved by the  
17 Commission in the Kennecott agreement, Docket  
18 No. 19-035-20. Also, the one-time transfer of  
19 Utah-allocated RECs to California retail customers is  
20 also included in this docket.

21           On February 28, 2021, Rocky Mountain Power  
22 entered a confidential settlement stipulation with the  
23 DPU and OCS, wherein the parties agreed that the Company  
24 could transfer some of Utah's allocated RECs to be used  
25 on behalf of the Company's California retail customers

1 for compliance with California's renewable portfolio  
2 standard.

3 Parties agreed on compensation for Utah  
4 customers, which was booked in 2021 and included in the  
5 Company's 2022 RBA.

6 The Commission approved a confidential  
7 settlement stipulation in its order issued on June 1st,  
8 2021. The revenues associated with this transaction are  
9 provided in Michael G. Wilding's direct testimony as  
10 Confidential Rocky Mountain Power Attachment L in Tab 5.

11 The Commission's standard for evaluating whether  
12 to approve an interim rate request in an energy balancing  
13 account application is found in Utah Code Section  
14 54-7-13.5, which states that the Company must make an  
15 adequate prima facia showing that the proposed interim  
16 rate appears consistent with prior years' filings, and  
17 the interim rate request is more likely to reflect actual  
18 costs than the current rates.

19 Division adopts this standard to evaluate Rocky  
20 Mountain Power's interim rate request in this docket.

21 In summary, the Division has performed a  
22 preliminary review of the filing and corresponding  
23 Commission orders and found that, in general, the Company  
24 has complied with the Commission's orders and meets  
25 statutory standards for such applications. The proposed

1 interim rate is more (inaudible) current rates.

2 (Court reporter interruption.)

3 THE WITNESS: The proposed interim rate is more  
4 likely to reflect actual costs than the current rates.

5 The Division recommends the Commission approve  
6 the change to Schedule No. 98, as filed, and approve the  
7 rate decrease on an interim basis until the Division can  
8 complete a final audit on or before July 14th, 2022, of  
9 the REC revenues contained in this filing.

10 And that concludes my testimony.

11 MS. SCHMID: Thank you.

12 Mr. Long is available for cross-examination  
13 questions and questions from the hearing officer.

14 HEARING OFFICER HAMMER: Ms. Barber?

15 MS. BARBER: No questions, thank you.

16 HEARING OFFICER HAMMER: And I have none.

17 Thank you, Mr. Long.

18 No other witnesses, Ms. Schmid?

19 MS. SCHMID: No other witnesses, and the  
20 Division has nothing further to present. Thank you.

21 HEARING OFFICER HAMMER: Thank you.

22 Is there anything else before we adjourn?

23 All right. Thank you, everyone. I hope you  
24 have a wonderful morning. We're adjourned.

25 (The matter concluded at 9:21 a.m.)



CERTIFICATE

1  
2  
3 State of Utah                    )  
  ss.  
4 County of Salt Lake        )

5                    I, Michelle Mallonee, a Registered  
6 Professional Reporter in and for the State of Utah, do  
hereby certify:

7                    That the proceedings of said matter was  
8 reported by me in stenotype and thereafter transcribed  
into typewritten form;

9                    That the same constitutes a true and correct  
10 transcription of said proceedings so taken and  
transcribed;

11                    I further certify that I am not of kin or  
12 otherwise associated with any of the parties of said  
cause of action, and that I am not interested in the  
13 event thereof.

14                    WITNESS MY HAND at Salt Lake City, Utah,  
this 30th day of May, 2022.

15  
16 

17 \_\_\_\_\_  
18 Michelle Mallonee, RPR, CCR  
19 Utah CCR #267114-7801  
20 Expires May 31, 2023  
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