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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
Brenda Salter, Utility Technical Consultant Supervisor
Abdinasir Abdulle, Utility Technical Consultant

Date: July 8, 2022

Re: **Docket No. 22-036-01**, Wells Rural Electric Company's Wildland Fire Protection Plan.

Recommendation (Acknowledge)

The Division of Public Utilities (Division) recommends that the Public Service Commission (Commission) acknowledge Wells Rural Electric Company's (WREC) Wildland Fire Protection Plan (WFPP) as complying with Utah Code § 54-24-203 – Wildland Fire Protection Plan for an Electric Cooperative.

Issue

Pursuant to Utah Code § 54-24-203, on June 9, 2022, WREC filed its WFPP. On the same day, the Commission issued an Action Request to the Division requesting the Division review WREC's filing for compliance and make recommendations. The Commission asked the Division to report back by July 8, 2022. This memorandum represents the Division's response to the Commission's Action Request.

Division of Public Utilities

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Discussion

Wells Rural Electric Company is a member-owned non-profit cooperative that provides power to large portions of Northeastern Nevada and Wendover, Utah. Utah Code § 54-24-203 requires electric cooperatives to prepare a Wildland Fire Protection Plan. The content of this plan includes procedures for inspections, vegetation management, preventive programs, de-energizing power lines, etc. On June 9, 2022, WREC filed its WFPP. The purpose of the filing was to comply with Utah code, protect the public, minimize the chance of the cooperative's power lines starting wildfires, and speed the recovery from any wildfires that may occur.

The Division reviewed the filing and determined that it contains a point-by-point discussion of the requirements of the code. The Division notes that WREC did not file its WFPP on time. Utah Code § 54-24-203(3)(a)(i) requires the WLPP to be filed with the governing authority on or before June 1, 2020. After the governing authority approves the plan, the electric cooperative shall file the plan with the Commission. The Division has discussed the late filing with representatives from WREC and determined that they established the plan and obtained the approval of the governing authority in a timely manner but inadvertently did not file it. The Division believes that the Commission should accept the filing so that WREC can file its annual compliance reports in the future.

Conclusion

Based on its review of WREC's filing, the Division recommends that the Commission acknowledge WREC's filing as complying with Utah Code § 54-24-203.

cc: Thad Ballard, Director of Administration and Power Supply, Wells Rural Electric Company
Michele Beck, Office of Consumer Services