



## State of Utah

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## Public Service Commission

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Commissioner

JOHN S. HARVEY, Ph.D.  
Commissioner

October 2, 2023

Mr. Josh Dellinger  
General Manager  
Empire Electric Association, Inc.  
P.O. Box K  
Cortez, CO 81321

Re: Docket No. 23-025-01 - *Empire Electric Association, Inc.'s 2023 Wildland Fire Protection Plan*

Dear Mr. Dellinger,

The Public Service Commission (PSC) reviewed Empire Electric Association, Inc.'s ("Empire") August 28, 2023 filing of its Wildland Fire Protection Plan (WFPP) pursuant to Utah Code Ann. §§ 54-24-203(2) and 54-24-203(3). Empire's WFPP along with the EEA Exhibits A to K satisfy the seven requirements of Utah Code Ann. § 54-24-203(2)(a) through (g). The WFPP provides a reasonably detailed description of procedures and plans for each requirement.<sup>1</sup>

The PSC also reviewed the comments filed by the Division of Public Utilities (DPU) on September 26, 2023. DPU comments that Empire's Board of Directors reviewed and approved the WFPP on August 11, 2023. DPU supports the filing and recommends the PSC acknowledge that Empire has complied with the filing requirements in Utah Code Ann. §§ 54-24-203(4)(b) and 54-24-203(2).<sup>2</sup>

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<sup>1</sup> Empire's WFPP indicates that Empire's Board of Directors "adopted" the WFPP. The PSC interprets this to mean that the Board "approved" the WFPP. In addition, in its cover letter in this docket Empire states it submits the WFPP pursuant to Utah Code Ann. § 54-24-203(4). However, subsection 203(4) applies to compliance reports, not WFPPs. The PSC will consider Empire's compliance report in Docket No. 23-025-02.

<sup>2</sup> DPU's comments also reference Utah Code Ann. § 54-24-203(4)(b). The PSC will consider Empire's compliance report in Docket No. 23-025-02.

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Based on the PSC's review of Empire's WFPP and DPU's comments and recommendation, the PSC acknowledges the Empire WFPP as complying with Utah Code Ann. §§ 54-24-203(2) and 54-24-203(3). Pursuant to Utah Code Ann. § 54-24-203(5)(a), the WFPP is available for public inspection at the PSC's offices and on its website.

Sincerely,

/s/ Gary L. Widerburg  
PSC Secretary  
DW#330117