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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
Brenda Salter, Assistant Director
Abdinasir Abdulle, Utility Technical Consultant Supervisor
Justin Christensen, Utility Analyst

Date: December 7, 2023

Re: **Docket No. 23-025-03**, Empire Electric Association, Inc.'s 2024 Renewable Energy Progress Report.

Recommendation (Acknowledge)

The Division of Public Utilities (Division) recommends that the Utah Public Service Commission (Commission) acknowledge Empire Electric Association, Inc's (Empire) Utah Carbon Reduction Progress Report as it appears to comply with the Utah Energy Resource Procurement Act, Title 54 Chapter 17 Section 604.

Issue

On November 13, 2023, Empire filed with the Commission its Utah Carbon Reduction Progress Report in compliance with the Utah Energy Resource Procurement Act. On November 13, 2023, the Commission issued an Action Request for the Division to review for compliance and make recommendations by December 13, 2023. This memo is in response to the Commission's Action Request.

Division of Public Utilities

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Discussion

Utah Code Annotated § 54-17, Part 6 requires privately owned electric utilities and cooperative associations to develop and maintain a plan for implementing 20% renewable energy generation by the year 2025. A renewable energy progress report is to be filed by January 1 of each of the years 2010, 2015, 2020, and 2024. The electric companies are to report actual and projected renewable energy, qualifying energy for this target, cost, or cost-effectiveness information, as well as describe issues and conditions impacting renewable energy and qualifying electricity markets and make recommendations.

The Division notes that Empire meets the exemption criterion found in Utah Code Annotated 54-2-202, Out-of-state distribution electrical cooperative; therefore, it is not required to file a Renewable Energy Progress Report with the Commission.

Empire states in its filing that 34% of the electricity it sells in Utah is qualifying renewable energy. Also, it forecasts that 35% of the electricity it sells in Utah will be qualifying renewable energy by 2025. Empire purchases power from Tri-State Generation and Transmission Association (Tri-State). Tri-State's renewable energy portfolio includes a mix of hydroelectric, wind, and solar generation. Empire states that Tri-State has achieved the 2025 target but does not know what the cost was to do so.

Empire has no comments regarding issues that may impact renewable energy. It also does not provide recommendations for legislative or program changes.

Conclusion

The Division has reviewed Empire's Utah Carbon Reduction Progress Report and recommends the Commission acknowledge the report as following the Utah Energy Resource Procurement Act, Title 54 Chapter 17 Section 604.

cc: Josh Dellinger, Empire Electric Association