



State of Utah

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December 19, 2023

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

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

Dear Mr. Dellinger,

On November 13, 2023, Empire Electric Association, Inc. ("Empire") filed with the Public Service Commission (PSC) its 2024 Renewable Energy Progress Report ("Report"). The Report describes Empire's compliance with the requirements in Utah Code Ann. § 54-17-604(2)(b) and § 54-17-604(3)(a) through (e).

On December 7, 2023, the Division of Public Utilities (DPU) filed its response and recommended the PSC acknowledge the Report as meeting the Utah Energy Resource Procurement Act, Utah Code Ann. § 54-17-604. DPU also comments that Empire meets the exemption criterion found in Utah Code Ann. § 54-2-202 and is not required to file the Report with the PSC.

No statutory or other legal requirement for the PSC to act in this docket has been identified, nor has any party requested a declaratory ruling on the issue. Accordingly, based on the PSC's review of the Report and DPU's comments and recommendation, the PSC acknowledges receipt of the Report and gives notice it will take no further action in this docket unless a party files a request for agency action and explains the basis on which the PSC may or should act.

Sincerely,

/s/ Gary L. Widerburg
PSC Secretary
DW#331342