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- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

-o0o-

Rocky Mountain Power's)
Application for Approval of)
the 2023 Energy Balancing)
Account)
) DOCKET NO. 23-035-01
_____)

Public Hearing
Taken via Google Meets on Thursday, June 15, 2023
At 9:01 a.m. MT

Reported by: Brooke Simms, RPR, CCR, CSR

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A P P E A R A N C E S

The Public Service Commission:

Presiding Officer Michael Hammer

For Division of Public Utilities:

Patrick Grecu

Patricia Schmid

UTAH ATTORNEY GENERAL'S OFFICE

For Rocky Mountain Power:

Ajay Kumar

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I N D E X

PAGE

JACK PAINTER

Direct Examination By Mr. Kumar

5

ROBERT MEREDITH

Direct Examination By Mr. Kumar

10

GARY SMITH

Direct Examination By Mr. Grecu

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

2 -o0o-

3 PRESIDING OFFICER: We are here for the
4 scheduled hearing on interim rates in Docket Number
5 23-035-01. That's Rocky Mountain Power's application
6 for approval of the 2023 energy balancing account.

7 Let's go ahead and take appearances, please,
8 beginning with Rocky Mountain Power.

9 MR. KUMAR: Thank you, Your Honor. On behalf
10 of Rocky Mountain Power, my name is Ajay Kumar.
11 Appearing as my witnesses in this proceeding are
12 Mr. Jack Painter and Mr. Robert Meredith.

13 PRESIDING OFFICER: Thank you. Welcome,
14 Mr. Kumar.

15 And for the Division of Public Utilities?

16 MR. GRECU: Patrick Grecu and Patricia Schmid,
17 assistant attorneys general for the Division of Public
18 Utilities, and our witness today will be Gary Smith.

19 PRESIDING OFFICER: And is there anyone here
20 for the Office of Consumer Services?

21 Any other parties or nonparties that are
22 present that would like to announce themselves?

23 Okay. We'll go to you, Mr. Kumar. Would you
24 like to call your first witness, or is there a
25 preliminary matter we need to address?

1 MR. KUMAR: No. I think I'm ready to call our
2 first witness. We'd like to call Mr. Jack Painter.

3 PRESIDING OFFICER: Mr. Painter, do you swear
4 to tell the truth?

5 THE WITNESS: I do.

6 PRESIDING OFFICER: Thank you. Please go
7 ahead.

8 JACK PAINTER

9 was sworn and testified as follows:

10 DIRECT EXAMINATION

11 BY MR. KUMAR:

12 Q. Mr. Painter, could you please state and spell
13 your full name for the record.

14 A. Yes. Jack Painter, J-a-c-k P-a-i-n-t-e-r.

15 Q. And by whom are you employed and in what
16 capacity?

17 A. I'm employed -- employed by PacifiCorp for
18 Rocky Mountain Power, and my position is a net power
19 cost specialist.

20 MR. KUMAR: Your Honor, would you like me to
21 mark Mr. Painter's exhibits at this time?

22 PRESIDING OFFICER: If you'd like to move for
23 their introduction, that's fine.

24 MR. KUMAR: Yeah. So I think we have RMP's
25 application, which I'd like to mark as RMP Exhibit 1. I

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1 have Mr. Painter's direct testimony as RMP Exhibit 2.
2 And then the Exhibit JPO 1 which is attached to
3 Mr. Painter's testimony as RMP Exhibit 3.

4 PRESIDING OFFICER: And you're moving for
5 their admission as evidence in the docket?

6 MR. KUMAR: Well, in my other districts I
7 usually go through a little -- like, you know, the
8 changes or corrections and ask him to adopt the
9 testimony, but yeah.

10 PRESIDING OFFICER: Sure. But you can ask
11 then. We usually don't go through the process of
12 marking them up front. So I think that's where my
13 confusion stems. So go ahead, when you're ready.

14 MR. KUMAR: Yeah.

15 Q. (BY MR. KUMAR) Mr. Painter, do you have any
16 changes or corrections to your testimony?

17 A. No, I do not.

18 Q. And if I were to ask you the same questions in
19 your direct testimony today, would you give the same
20 answers?

21 A. Yes.

22 Q. And then the Company is requesting interim
23 rates based on its originally filed application in this
24 proceeding; correct?

25 A. That is correct.

1 MR. KUMAR: Your Honor, I'd like to move for
2 the admission of Mr. Painter's testimony and exhibits.

3 PRESIDING OFFICER: Hearing no objection,
4 they're admitted.

5 MR. KUMAR: Mr. Painter, do you have -- have
6 you prepared a summary?

7 A. Yes, I have.

8 Q. Okay. Can you give that summary?

9 A. I can.

10 On March 15th, 2023, Rocky Mountain Power
11 filed its annual energy balancing account, or EBA,
12 requesting to recover 175 million of EBA-related costs
13 for calendar year 2022. The Company requests to recover
14 this amount over a period of 12 months, which results in
15 a 4.6 percent average EBA rate increase through Schedule
16 94, which the Company requests become effective
17 July 1st, 2023, on an interim basis.

18 The request in this application includes six
19 main components. One, approximately 220.8 million of
20 EBA-related costs; two, a credit of approximately
21 52.6 million for sales made to a special contract
22 customer; three, approximately \$476,000 in costs for
23 Utah Situs resources; four, a credit of approximately
24 598,000 to reflect the 2022 EBA order; five,
25 approximately 2 million adjustment to reflect the

1 remaining balance from the 2021 EBA; and, six, a charge
2 of approximately 5 million of interest.

3 The EBA rate increase is driven by higher net
4 power costs that are currently in base range, which is
5 partially due to a large number of extreme weather
6 events and higher market and natural gas fuel prices
7 during calendar year 2022 as described in more detail in
8 my direct prefiled testimony.

9 The Company's proposal is to spread the
10 deferred EBA cost across customer classes consistent
11 with an EBA allocator that allocates the base EBA
12 amounts approved by the Commission in the 2020 GRC as
13 described in the application and direct testimony of
14 Mr. Robert Meredith.

15 This proposed rate change is consistent with
16 prior years' filing because it uses substantially
17 similar methodologies to arrive at total EBA costs.
18 Using these methodologies, the Company has determined
19 that EBA costs have increased and are more likely to
20 reflect actual power costs than the current base rates.

21 The interim rates requested by the Company
22 will be subject to future audit by the Division of
23 Public Utilities and evaluation at a hearing by other
24 parties.

25 For these reasons, the Company's interim rate

1 is consistent with prior years' filing and is more
2 likely to reflect actual power costs than current base
3 rates. Therefore, I respectfully request that the
4 Commission approve the interim rates per the application
5 to be effective July 1st, 2023, subject to rate refund
6 or surcharge.

7 That concludes my summary.

8 MR. KUMAR: Thank you, Mr. Painter.

9 Your Honor, I'd like to make Mr. Painter
10 available for cross-examination and any questions from
11 the Bench.

12 PRESIDING OFFICER: Mr. Grecu?

13 MR. GRECU: The Division has no questions.

14 PRESIDING OFFICER: And I have none. Thank
15 you, Mr. Painter.

16 Would you like to call Mr. Meredith?

17 MR. KUMAR: Yes, Your Honor. Mr. Meredith
18 will not be having a summary. He's just going to be
19 available for questions. So we're going to move his
20 exhibits and then make him available for questions.

21 PRESIDING OFFICER: Okay. Should I swear him?
22 Do you want him to authenticate the exhibits?

23 MR. KUMAR: Yes.

24 PRESIDING OFFICER: Okay. Mr. Meredith, do
25 you swear to tell the truth?

1 THE WITNESS: I do.

2 PRESIDING OFFICER: Thank you.

3 Please go ahead.

4 ROBERT MEREDITH

5 was sworn and testified as follows:

6 DIRECT EXAMINATION

7 BY MR. KUMAR:

8 Q. Mr. Meredith, could you please state and spell
9 your name.

10 A. Yes. Robert Meredith. It's R-o-b-e-r-t.
11 Meredith is spelled M-e-r-e-d-i-t-h.

12 Q. And by whom are you employed and in what
13 capacity?

14 A. I'm employed by PacifiCorp, and my title is
15 the director of pricing and tariff policy.

16 Q. And you filed your direct testimony along with
17 three associated exhibits; correct?

18 A. Yes.

19 Q. RMM 1 through 3. Do you have any changes or
20 corrections to your testimony?

21 A. I do not.

22 Q. And if I were to ask you the same questions in
23 your direct testimony today as are in your -- that's in
24 your prefiled testimony, would you give the same
25 answers?

1 A. I would.

2 MR. KUMAR: And, Your Honor, I'd like to move
3 for the admission of Mr. Meredith's direct testimony and
4 exhibits RMM 1 through 3.

5 PRESIDING OFFICER: They're admitted.

6 MR. KUMAR: And, Your Honor, I'd like to make
7 Mr. Meredith available for my questions or
8 cross-examination.

9 PRESIDING OFFICER: Mr. Grecu?

10 MR. GRECU: I have no questions.

11 PRESIDING OFFICER: Nor do I. Thank you,
12 Mr. Meredith.

13 THE WITNESS: Thank you.

14 PRESIDING OFFICER: And no other witnesses,
15 Mr. Kumar?

16 MR. KUMAR: No, no other witnesses.

17 PRESIDING OFFICER: Okay. We'll go to you,
18 Mr. Grecu. I assume you're speaking for the Division
19 today?

20 MR. GRECU: Yes, yes.

21 PRESIDING OFFICER: Would you like to call
22 your first witness?

23 MR. GRECU: The Division would like to call
24 Gary Smith.

25 PRESIDING OFFICER: Mr. Smith, do you swear to

1 tell the truth?

2 THE WITNESS: Yes.

3 PRESIDING OFFICER: Please go ahead.

4 GARY SMITH

5 was sworn and testified as follows:

6 DIRECT EXAMINATION

7 BY MR. GRECU:

8 Q. Mr. Smith, could you please state and spell
9 your full name for the record.

10 A. Gary Smith, G-a-r-y S-m-i-t-h. And I'm a
11 utility technical consultant for the Division of Public
12 Utilities, State of Utah.

13 Q. And what is your business address?

14 A. It is 160 East 300 South, Salt Lake City,
15 Utah.

16 Q. And on behalf of the Division, did you review
17 the Company's application and related testimony and
18 exhibits in this docket?

19 A. Yes.

20 Q. Did you prepare and cause to be filed or
21 participate in the preparation and filing of the
22 Division's comments titled "Preliminary Review Interim
23 Rate Recommendation" and the "DPU Attachment 1" that
24 were filed on May 23rd, 2023?

25 A. Yes.

1 Q. And do you have any corrections or changes to
2 that filing?

3 A. I do not.

4 Q. And do you adopt the contents of that filing
5 as part of your testimony today?

6 A. Yes.

7 MR. GRECU: I would like to move for admission
8 of the Division's comments and DPU Attachment 1 that
9 were filed on May 23rd, 2023.

10 PRESIDING OFFICER: They're admitted.

11 Q. (BY MR. GRECU) And, Mr. Smith, do you have a
12 summary to share today?

13 A. I do.

14 Q. Please proceed.

15 A. On May 1st, 2023, Rocky Mountain Power filed
16 its annual application for approval of the energy
17 balancing account, including a request to recover
18 \$175 million of EBA net power costs on an interim basis
19 from July 1st, 2023, through June 30th of 2024 for the
20 deferral year 2022.

21 For interim rate approval, Utah code requires
22 that the Company or other party make a prima facie
23 showing that the proposed interim rate appears
24 consistent with prior years' filings and the interim
25 rate requested is more likely to reflect actual power

1 costs than the current base rates.

2 To evaluate the Company's request, the
3 Division of Public Utilities performed a preliminary
4 review of the Company's application, including the
5 testimonies, attachments, and its electric service
6 Schedule 94 tariff through which the Company proposes to
7 collect the additional 97.4 million in EBA-related cost
8 recovery above the current collection level of
9 77.7 million.

10 According to the Company's application,
11 increases in net power cost contributing to this revised
12 collection amount were mainly due to extreme weather
13 events impacting demand market prices and natural gas
14 prices.

15 The Division has determined, through its broad
16 review, that the overall body of information and the
17 requested interim rate appear consistent with
18 previous years' filings, but makes no judgment regarding
19 the entirety or accuracy of the Company supplied
20 information.

21 Based on the Division's decade long experience
22 with this account, audits, and annual commission
23 proceedings, the Division concludes that the interim
24 rate increase requested is more likely to reflect actual
25 net power costs than current base rates and that the

1 suggested tariff customer rates spread appears
2 consistent with the Commission-approved method.

3 According, the Division recommends that the
4 Public Service Commission approve the Company's request
5 for an interim rate increase based on the Company's
6 calculated 2022 deferral year recovery of 175 million
7 effective July 1st, 2023, for a 12-month period ending
8 June 30, 2024.

9 The Division will continue to audit the
10 materials included in the EBA filing and present its
11 findings and recommendations in future Commission
12 proceedings, through which the final EBA recovery amount
13 and the collection rates will be determined.

14 That concludes my summary.

15 MR. GRECU: I have no further questions. The
16 witness is available for cross-examination or questions
17 from the hearing officer.

18 PRESIDING OFFICER: Mr. Kumar?

19 MR. KUMAR: I have no questions for this
20 witness, Your Honor.

21 PRESIDING OFFICER: And I have none. Thank
22 you, Mr. Smith.

23 THE WITNESS: Thank you.

24 PRESIDING OFFICER: Any other witnesses,
25 Mr. Grecu?

1 MR. GRECU: Nothing further from the Division.

2 PRESIDING OFFICER: Is there anything further
3 from any other party?

4 MR. KUMAR: Yes, Your Honor. We just noted
5 that in Mr. Painter's spoken summary he said March 15th
6 instead of May 1. It was a minor misstatement in his
7 summary. His testimony and everything else -- and
8 everything else is correct. And as you were listening,
9 we just noted that. So I would like to note that for
10 the record.

11 PRESIDING OFFICER: That's probably a question
12 that might have been addressed to Mr. Smith.

13 So we'll just -- we'll open that to you. Do
14 you concur with the correction, Mr. Smith?

15 MR. SMITH: Yes.

16 PRESIDING OFFICER: Okay. All right. Thank
17 you, Mr. Kumar. Is there anything else?

18 MR. KUMAR: Not from the Company.

19 PRESIDING OFFICER: Mr. Grecu?

20 MR. GRECU: Nothing.

21 PRESIDING OFFICER: All right. Well, thank
22 you all for your participation. I hope you have a
23 wonderful morning. We're adjourned.

24 (This hearing was concluded at 9:15 a.m. MT.)

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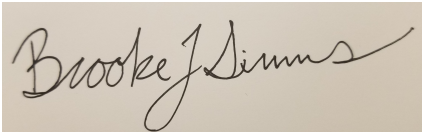
REPORTER'S CERTIFICATE

STATE OF UTAH)
)
COUNTY OF UTAH)

I, BROOKE SIMMS, a State Certified Court Reporter and Registered Professional Reporter, hereby certify:

THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the proceedings were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and the foregoing transcript constitutes a full, true, and accurate record of such oral proceedings had, and of the whole thereof.

I have subscribed my name on this 23rd day of June, 2023.



Brooke Simms, RPR, CCR, CSR

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[please - schedule]

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Utah Rules of Civil Procedure
Part V. Depositions and Discovery
Rule 30

(E) Submission to Witness; Changes; Signing.
Within 28 days after being notified by the officer that the transcript or recording is available, a witness may sign a statement of changes to the form or substance of the transcript or recording and the reasons for the changes. The officer shall append any changes timely made by the witness.

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ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
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2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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