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DEPARTMENT OF COMMERCE
Office of Consumer Services

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Director

To: The Public Service Commission of Utah
From: The Office of Consumer Services
Michele Beck, Director
Béla Vastag, Utility Analyst
Alex Ware, Utility Analyst
Date: March 10, 2023
Subject: Docket No. 23-035-10
In the Matter of: PacifiCorp's 2023 Integrated Resource Plan

INTRODUCTION

On March 2, 2023, Rocky Mountain Power (RMP) filed a request with the Utah Public Service Commission (PSC) to extend the filing deadline for PacifiCorp's 2023 Integrated Resource Plan (IRP) from March 31, 2023 to May 31, 2023. RMP also asked the PSC to approve a schedule where RMP would file a "preliminary 2023 IRP" on March 31, 2023 and set a deadline of April 30, 2023 for stakeholders to submit comments and feedback directly to PacifiCorp on the preliminary 2023 IRP. If RMP's filing extension request is approved, it would then file its "final" 2023 IRP on May 31, 2023.

On March 3, 2023, the PSC issued a Notice and Request for Comments that set a deadline of March 10, 2023 for parties to file comments on RMP's request for a filing extension of the final 2023 IRP and request for approval of a schedule for stakeholders to provide feedback on the preliminary 2023 IRP.

In accordance with the schedule set by the PSC in its Request for Comments, the Utah Office of Consumer Services (OCS) submits these comments on RMP's requests in this docket.

BACKGROUND

In its March 2, 2023 memo to the PSC, RMP states that it needs an IRP filing extension because there have been “recent” events that have “required changes to [IRP] model inputs and constraints”. RMP listed the following issues as the main factors behind their IRP modeling difficulties:

1. Recent changes in complying with the EPA’s Good Neighbor Plan for the 2015 Ozone National Ambient Air Quality Standards (NAAQS). This is commonly referred to as the Ozone Transport Rule. The proposed rule was posted in the Federal Register on April 6, 2022. On January 31, 2023, the EPA disapproved 19 state implementation plans (SIP), including Utah’s.
2. The Inflation Reduction Act (IRA) which was signed by President Biden into law on August 16, 2022. Among its many provisions, the IRA provides financial incentives for investments in domestic clean energy sources.
3. Federal Energy Regulatory Commission (FERC) new resource interconnection rules. On December 30, 2022, PacifiCorp filed a request with FERC that energy storage resources be allowed to share a transmission system interconnection with an existing or new resource. On February 28, 2023, FERC approved PacifiCorp’s request (FERC Docket No. ER23-754).
4. The Oregon Clean Energy Plan (CEP). Signed into law in 2021, it requires PacifiCorp to reduce greenhouse gas emissions below a baseline - 80% by 2030, 90% by 2035 and then 100% by 2040. PacifiCorp’s first Oregon CEP is due to be filed by end of March 2023.
5. The Washington Clean Energy Transformation Act (CETA). Signed into law in 2019, for Washington customers, it requires PacifiCorp to remove coal-fired generation by 2025, provide carbon-neutral electricity by 2030 and provide 100% renewable, non-carbon-emitting electricity by 2045. Washington utilities must submit Clean Energy Implementation Plans (CEIP) every four years and must submit progress or compliance reports starting in 2026. PacifiCorp submitted its first CEIP in December 2021.

OFFICE OF CONSUMER SERVICES COMMENTS

This is PacifiCorp’s third IRP in a row for which it has requested a filing extension – the 2019 and 2021 IRPs were also extended.¹ As Yogi Berra once famously said – it’s like déjà vu all over again. This request for a filing extension, including a request for a new “preliminary 2023 IRP” review process, is not surprising because though PacifiCorp has

¹See <https://pscdocs.utah.gov/electric/19docs/1903502/306394RMPReqExt1-28-2019.pdf> and <https://pscdocs.utah.gov/electric/21docs/2103509/317359RMPReqExtnsn2-12-2021.pdf>.

held 10 public-input meetings to-date for the 2023 IRP, it has not yet provided any preliminary modeling results, e.g. potential preferred portfolio results or candidates.

In OCS comments on PacifiCorp's 2021 IRP, where we addressed PacifiCorp's delayed 2021 IRP process, we stated:

With two IRPs in a row being significantly delayed, this appears to be the new norm for PacifiCorp....Going forward, the OCS requests that PacifiCorp assign more resources to the IRP process so that stakeholders can have a more timely and predictable IRP public input process in the future, one that does not limit stakeholder feedback at the very end of the IRP public process when important modeling results and resource decisions are presented.

The OCS appreciates the importance of the five issues listed above, which PacifiCorp cited as the cause of their 2023 IRP modeling delays. However, most of the listed issues were well in progress before the IRP's March 31, 2023 filing deadline. It appears to the OCS that PacifiCorp still has not assigned sufficient resources to the IRP process.

In its Order on the 2021 IRP, the PSC stated:²

Stakeholders invest substantial time and resources to participate in the IRP planning process. The purpose of the process is not to allow them an early preview of what PacifiCorp has unilaterally elected to do. The purpose is to allow them an opportunity to provide meaningful feedback at each stage of a collaborative process. Guideline 3 is clear: the IRP is to be developed "in consultation" with stakeholders who must enjoy "ample opportunity for public input and information exchange during the development of [the plan]."

In the 2023 IRP process, stakeholders have not yet been able to provide significant meaningful feedback to PacifiCorp because PacifiCorp has not yet provided any modeling results to stakeholders. Therefore, in order to provide time for stakeholder feedback, the 2023 IRP public input process necessarily must be extended.

RECOMMENDATION

Reluctantly, the OCS recommends that the PSC approve RMP's request to change the filing deadline for PacifiCorp's final 2023 IRP to May 31, 2023 and establish RMP's proposed schedule for stakeholder review of a preliminary 2023 IRP.

² Docket No. 21-035-09, June 2, 2022 Order, page 14.

cc:

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