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UTAH DEPARTMENT OF COMMERCE

Division of Public Utilities

MARGARET W. BUSSE
Executive Director

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Division Director

Action Request Response

To: Public Service Commission of Utah

From: Utah Division of Public Utilities

Chris Parker, Director
Brenda Salter, Assistant Division Director
Abdinasir Abdulle, Utility Technical Consultant Supervisor
Paul Hicken, Technical Consultant

Date: November 30, 2023

Re: **Docket No. 23-035-31, Compliance Filing** – with Docket No. 09-035-T08, Rocky Mountain Power's Demand Side Management program expenditures.

Recommendation (Acknowledge)

The Division of Public Utilities (DPU or Division) recommends the Public Service Commission (PSC or Commission) acknowledge Rocky Mountain Power's (Company) compliance with the Phase I Stipulation Order issued on August 29, 2009, in Docket No. 09-035-T08.

Issue

On November 1, 2023, and in compliance with the Commission Order of August 29, 2009, in Docket No. 09-035-T08,¹ the Company filed a notice with the Commission that as of October 2023, the year-to-date expenditures for the Cool Keeper Program (Program) totaled approximately \$7.1 million. This actual expenditure amount exceeds 90 percent of the 2023 forecast of \$6.5 million for the Program, filed with the Commission on November 1, 2022, in Docket No. 22-035-37.² On November 2, 2023, the Commission issued an Action Request to the Division to review and make recommendations of the Company's filing by December 1, 2023. On November 3, 2023, the Commission issued a Notice of Filing and Comment Period where parties may submit comments by December 4, 2023, with reply

¹ Utah PSC, Docket No. 09-035-T08, Order Granting Approval of Phase I Stipulation, August 25, 2009.

² Docket No. 23-035-31, RMP's Advice Letter, November 1, 2023, P.1.

comments on or before December 19, 2023. This memorandum is in response to the Commission's Action Request.

Background

On August 29, 2009, the Commission issued an Order approving the Phase I Stipulation in Docket No. 09-035-T08. The Phase I Stipulation required that "In the event that expenditures for the Company's Demand Side Management (DSM) programs reach 90 percent of the forecasted level prior to December 1st of that year, Rocky Mountain Power shall notify the Office, Division, Commission, and DSM Advisory Group (Steering Committee)"³ that the 90 percent threshold had been reached.

Discussion

The Company anticipates expansion of a few thousand participants to the Cool Keeper Program in 2024. Additionally, the Program sees some participation attrition each year. The Company front loaded additional inventory in 2023, specifically LCR devices, to maintain current program participation levels and to avoid unexpected market chain delays in 2024 for growing Program participation. As a result of front-loading equipment, and pursuant to the forecast report filed November 1, 2023, in Docket No. 23-35-31, the Company anticipates it will exceed the overall 2023 Program Budget of \$6,500,000 with total expenditures of \$7,971,447⁴ or approximately 22.6 percent.

Conclusion

Based on its review of the Company's filing the Division concludes that the Company is in compliance with the Commission order dated August 29, 2009, in Docket No. 09-035-T08. The Division recommends acknowledgement of this filing.

cc: Michael Snow, RMP.
Michele Beck, OCS.
Service List

³ Rocky Mountain Power DSM Expenditures Stipulation, Docket No. 09-035-T08, August 25, 2009, P.4, Note 11.

⁴ Docket No. 23-035-31, RMP's Advice Letter, November 1, 2023, P.1.