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- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -
Application of Rocky)
Mountain Power for)
Approval of an Amendment of)
a Power Purchase Agreement) DOCKET NO. 23-035-47
between PacifiCorp)
and Tesoro Refining &)
Marketing Company LLC)
-----)

Videoconference hearing presided over by
Michael J. Hammer, on Thursday,
November 30, 2023 at 2:00 p.m.

Stenographically Reported by Christina Essi, Registered
Professional Reporter

A P P E A R A N C E S

For Rocky Mountain Power:

Katherine Smith, Esq.

katherine.smith@pacificorp.com

For the Division of Public Utilities:

Patrick Grecu, Esq.

UTAH ASSISTANT ATTORNEY GENERAL

160 East 300 South, 5th Floor

Salt Lake City, Utah 84114

pgrecu@agutah.gov

Also present:

Melissa Paschal, Public Service Commission

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1 -o0o-

2 THE COURT: We should be here for the noticed
3 hearing in the application of Rocky Mountain Power
4 for approval of an amendment of the Power Purchase
5 Agreement between PacifiCorp and Tesoro Refining and
6 Marketing Company, Commission Docket Number
7 23-035-47. My name is Mike Hammer, and I'm the
8 Commission's designated presiding officer. Let's
9 take appearances beginning with Rocky Mountain Power,
10 please.

11 MS. SMITH: Thank you, your Honor. Katherine
12 Smith, S-M-I-T-H, counsel for Rocky Mountain Power,
13 and with me today is company witness Craig Eller.

14 THE COURT: And for the Division of Public
15 Utilities?

16 MR. GRECU: Patrick Grecu, Assistant Attorney
17 General, representing the Division of Public
18 Utilities. Our witness today will be Jeff Einfeldt.

19 THE COURT: Is there anything we need to
20 address before Ms. Smith calls her first witness?

21 All right, Ms. Smith, please call your
22 witness.

23 MS. SMITH: Thank you. Rocky Mountain Power
24 would like to call Craig Eller as the Company's
25 witness.

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CRAIG ELLER,

was called as a witness, and having been first duly sworn to tell the truth, testified as follows:

THE COURT: Thank you. Go ahead.

EXAMINATION

BY MS. SMITH:

Q Mr. Eller, can you please state and spell your name for the record?

A Yes. My name is Craig Eller, C-R-A-I-G, E-L-L-E-R.

Q By whom are you employed and what is your business address?

A Rocky Mountain Power. We're located at 1407 West North Temple, Salt Lake City, Utah 84116.

Q And can you please explain your position with Rocky Mountain Power?

A My position is Vice President, Business Policy and Development.

Q Can you please briefly describe your education and business experience?

A Yes. I have a bachelor of science in mechanical engineering from the University of Nebraska. I've been employed with PacifiCorp since July of 2020 in my current role where I am responsible for strategic planning, stakeholder engagement, regulatory support,

1 business development and execution of major transmission
2 projects. Prior to my current role, I worked at
3 Northern Natural Gas Company, an affiliate of Rocky
4 Mountain Power, from 2007 through 2020 in various
5 business development, commercial marketing, and
6 engineering roles.

7 Q In your position at Rocky Mountain Power, have
8 you had the opportunity to review the application and
9 relevant exhibits in this proceeding?

10 A Yes.

11 Q Have you prepared a statement regarding your
12 review of those materials?

13 A Yes.

14 Q Can you please provide a summary for the
15 Commission?

16 A Good afternoon, Mr. Hammer. I present today
17 for Commission approval of an amendment to a qualifying
18 facility Power Purchase Agreement between Tesoro Refining
19 and Marketing Company, LLC, and PacifiCorp.

20 The original agreement which was approved on
21 December 18th, 2019 in Docket 19-035-38 had an initial
22 term of 12 months, January 1st of 2020 through
23 December 31st, 2020. The agreement provides for the
24 energy to be generated by Tesoro up to 25 megawatts from
25 a gas-fired generation facility owned by Tesoro and

1 located in Salt Lake City, Utah. The amendment for which
2 the company seeks approval is the 4th Amendment which
3 extends the term of the agreement for the 12 months
4 ending December 31st, 2024. The purchase price set forth
5 in the amendment was calculated using the methodology
6 approved by the Commission in Docket 03-035-14. In
7 comments, the Division of Public Utilities supported
8 Commission's approval of the amendment and reaffirms its
9 recommendation that the Company provide the grid outputs
10 and Excel spreadsheet supporting the price calculations
11 along with the spreadsheets showing avoided line loss
12 calculations.

13 The Division also recommends the Company
14 continue to provide, at least quarterly, hourly hour
15 purchase reports. The Company agrees to these continued
16 recommendations. The amendment is compliant and relevant
17 Commission orders and approval is in the public interest.
18 With the current term set to expire on December 31st,
19 2023, I respectfully request the Commission issue its
20 order in this proceeding by December 31st, 2023, if
21 possible, so that no time lapses between agreements.

22 That concludes my summary today.

23 MS. SMITH: Your Honor, I would now like to
24 move for admission in Docket 23-035-47, the Company's
25 application and work papers 1 through 7 with 4

1 through 7 marked as confidential.

2 THE COURT: They're admitted.

3 (Company documents admitted into evidence.)

4 MS. SMITH: We tender this witness for
5 cross-examination and questions from the Hearing
6 Officer.

7 THE COURT: Mr. Grecu?

8 MR. GRECU: No questions from the Division.

9 THE COURT: I have none. Thank you,
10 Mr. Eller.

11 THE WITNESS: Thank you.

12 THE COURT: No other witness, Ms. Smith?

13 MS. SMITH: None.

14 THE COURT: Mr. Grecu, would you like to call
15 your witness?

16 MR. GRECU: The Division would like to call
17 Jeff Einfeldt.

18 JEFF EINFELDT,
19 was called as a witness, and having been first duly
20 sworn to tell the truth, testified as follows:

21 THE COURT: Thank you. Go ahead, Mr. Grecu.

22 EXAMINATION

23 BY MR. GRECU:

24 Q Could you please state and spell your name for
25 the record?

1 A My name is Jeff Einfeldt; first name is
2 J-E-F-F, last name is E-I-N-F-E-L-D-T.

3 Q And who is your employer and what is your
4 business address?

5 A My employer is the Utah Division of Public
6 Utilities at 160 East 300 South, Salt Lake City, Utah.

7 Q And what is your position with the Division?

8 A I am a utility technical consultant.

9 Q How long have you worked for the Division?

10 A I've been employed by the Division since
11 approximately May of 2016.

12 Q And would you provide a brief overview of your
13 educational background and relevant work experience?

14 A I earned a master's in public accounting from
15 the University of Utah and am a CPA and also a Certified
16 Internal Auditor and a Certified Fraud Examiner. I have
17 spent a number of years as a CPA in various financial
18 auditing and forensic accounting-type engagements and
19 also some business management areas and have worked for
20 the Division for over the last seven years.

21 Q And have you participated in this docket on
22 behalf of the Division?

23 A Yes, I have.

24 Q And did you review Rocky Mountain Power's
25 application and supporting exhibits and work papers in

1 this docket?

2 A Yes.

3 Q And did you prepare and cause to be filed or
4 participate in the preparation and filing of the
5 Division's Action Request Response filed on November 9th,
6 2023, in this docket?

7 A Yes, I have.

8 Q And do you have any changes or corrections to
9 that filing?

10 A No.

11 Q Do you adopt the contents of Action Request
12 Response as part of your testimony today?

13 A Yes, I do.

14 Q I'd like to move to admit the Division's Action
15 Request Response filed on November 9th, 2023.

16 THE COURT: It's admitted.

17 (DPU Document admitted into evidence.)

18 BY MR. GRECU:

19 Q Mr. Einfeldt, do you have a summary to share
20 today?

21 A Yes, thank you. The Division recommends the
22 Commission approve this 4th Amendment to the non-firm
23 Power Purchase Agreement between PacifiCorp and Tesoro
24 Refining and Marketing Company regarding its natural gas
25 cogeneration facility located with its Salt Lake City

1 refinery, the subject of Docket Number 23-035-47. The
2 Division finds the current agreement is similar to
3 contracts in prior years and the amendments from the --
4 from the three prior years. The agreement complies with
5 Commission guidelines established in prior orders and the
6 Division finds the proposed contract amendment to be
7 just, reasonable, and in the public interest.

8 And that concludes my comments.

9 MR. GRECU: Thank you. The witness is now
10 available for cross-examination or questions from the
11 Hearing Officer.

12 THE COURT: Ms. Smith, you're on mute.

13 MS. SMITH: No questions.

14 THE COURT: Thank you. I have no
15 questions, Mr. Einfeldt. Thank you.

16 MR. GRECU: Nothing further from the
17 Division.

18 THE COURT: All right. Is there anything
19 further from any other party?

20 All right. Thank you, everyone. I hope you
21 have a wonderful afternoon. We're adjourned.

22 (Hearing adjourned at 2:09 p.m.)
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STATE OF UTAH)
)
COUNTY OF SALT LAKE)

I, Christina Essi, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify:

That the foregoing proceedings were taken before me at the time and place therein set forth, at which time the witnesses were placed under oath to tell the truth; 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 testimony adduced and oral proceedings had, and of the whole thereof.

I further certify that I am not a relative or employee of any attorney of the parties, nor do I have a financial interest in the action.

- () Review and signature was requested.
- () Review and signature was waived.
- (X) review and signature was not requested.

In witness thereof, I have subscribed my name on this 30th day of November, 2023.



Christina Essi, RPR, CSR

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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.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored

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