

KENNECOTT EXHIBIT 2.1



1407 W. North Temple
Salt Lake City, UT 84116

March 14, 2024

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RE: UT Docket No. 23-035-51
KUC 1st Set Data Request (1-11)

Please find enclosed Rocky Mountain Power's Responses to KUC 1st Set Data Requests 1.1-1.11. Also provided is Attachment KUC 1.10. Provided via BOX is Confidential Attachment KUC 1.4. Confidential information is provided subject to Public Service Commission of Utah (UPSC) Rules R746-1-601-606.

If you have any questions, please call me at (801) 220-2823.

Sincerely,

_____/s/_____
Jana Saba
Manager, Regulation

Enclosures

C.c.: Madison Galt/DPU dpudatarequest@utah.gov mgalt@utah.gov (C)

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KUC Data Request 1.1

KUC Data Request 1.1

Other Data Responses. To the extent not already provided, please provide copies of all past and future formal and informal data requests and data responses received by RMP or sent by RMP to any other party in this docket. Please include both formal and informal responses

Response to KUC Data Request 1.1

Kennecott Utah Copper, LLC will be provided copies of responses to data requests and data responses received by Rocky Mountain Power (RMP) or sent by RMP to any other party in this proceeding.

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KUC Data Request 1.2

KUC Data Request 1.2

Models/Passwords. To the extent not already provided, please provide all models, spreadsheets, passwords, instructions and other information necessary for Kennecott's consultants, to access and utilize any models used or to be used by the Company in this docket.

Response to KUC Data Request 1.2

No models or spreadsheets were used in the direct testimony of Company witness, Craig Eller.

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KUC Data Request 1.3

KUC Data Request 1.3

Work Papers / Filing Requirements. To the extent not already provided, please provide all worksheets, work papers, spreadsheets, models and other documents or information that comprise or that were used or relied upon in preparing or provided as part of RMP's Application, testimony, exhibits or filing requirements.

Response to KUC Data Request 1.3

There were no work papers submitted to the Public Service Commission of Utah (UPSC) with the Company's direct testimony filing.

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KUC Data Request 1.4

KUC Data Request 1.4

Docket No. 16-035-33. Please provide a copy of all proprietary or confidential documents, including all testimony, exhibits, and work papers, filed by RMP in Docket No. 16-035-33.

Response to KUC Data Request 1.4

Please refer to Confidential Attachment KUC 1.4.

Confidential information is provided subject to Public Service Commission of Utah (UPSC) Rules R746-1-601–606.

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KUC Data Request 1.5

KUC Data Request 1.5

Cost of Service Studies. Please state whether RMP has performed any studies to determine the cost to serve Kennecott on or after January 1, 2026. If RMP has performed such studies, please provide them.

Response to KUC Data Request 1.5

The Company has not performed a cost of service (COS) study that examines the cost of serving Kennecott Utah Copper, LLC on or after January 1, 2026.

KUC Data Request 1.6

Please refer to lines 265-267 of the direct testimony of RMP witness Craig Eller, in which Mr. Eller suggests that other customers could “abuse the rights afforded in Utah Code § 54-3-32”. Please respond to the following:

- (a) Is the Company aware of any customer other than Kennecott that satisfies the definition of “eligible customer” as that term is used in Utah Code § 54-3-32? If so, please state how many such customers the Company is aware of.
- (b) Please state whether the Company is aware of any eligible customer identified in subpart (a) above that has taken any steps required by Utah Code § 54-4-32(3) to initiate the transfer of service to a nonutility energy supplier.

Response to KUC Data Request 1.6

- (a) No, to the best of the Company’s knowledge, the Company is not aware of any customers that satisfy the definition of “eligible customer” as that term is used in Utah Code § 54-3-32 and defined in Utah Code § 54-2-1(11).
- (b) Please refer to the Company’s response to subpart (a) above.

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KUC Data Request 1.7

KUC Data Request 1.7

Energy Balancing Account. Please refer to lines 345-359 of the direct testimony of RMP witness Craig Eller. Please state whether the EBA true-up for EBA costs incurred in 2025, which will be addressed in Commission filings and collected in EBA rates starting in 2026 or later, will include revenue that Kennecott pays to RMP pursuant to the ESA.

Response to KUC Data Request 1.7

The Utah energy balancing account (EBA) trues up the difference between Base Net Power Costs (NPC) and Actual NPC. The revenues that Kennecott Utah Copper, LLC were forecast to pay that are reflected in Base NPC and any difference in Actual NPC are either collected from customers or returned to customers.

KUC Data Request 1.8

2023 IRP. Please refer to PacifiCorp's 2023 IRP dated May 2023. Please state whether PacifiCorp has made any resource acquisition decisions as a result of the 2023 IRP or the load forecast used in the 2023 IRP. If so, please identify any such decisions and state when they were made and provide the following information:

- (a) the nature or type of the resource;
- (b) the date the new resource was acquired;
- (c) the anticipated commercial operation date or date by which the Company expects to begin receiving output from the new resource;
- (d) the expected life of the resource; and
- (e) the capacity of any such new resources.

Response to KUC Data Request 1.8

The Company objects to this response as not reasonably related to the discovery of admissible evidence, and is outside the scope of permitted discovery. It is unclear how the Company's generation resource acquisition strategies or decisions are reasonably related to Kennecott Utah Copper, LLC's (Kennecott) Application or the Company's direct testimony in this proceeding. Notwithstanding the foregoing objection, the Company responds as follows:

PacifiCorp's 2023 Integrated Resource Plan (IRP) was published on May 31, 2023. The Tenth Circuit Court of Appeals granted PacifiCorp's and other petitioners' motion to stay the United States (U.S.) Environmental Protection Agency's (EPA) final disapproval of Utah's state implementation plan (SIP) regarding cross-state ozone transport obligations under the 2015 ozone National Ambient Air Quality Standards (NAAQS) on July 27, 2023. The court held that the agency may not enforce the federal ozone plan while the stay remains in place. Additionally, the EPA finalized approval of Wyoming's interstate ozone transport plan on December 19, 2023. The final approval of Wyoming's plan removes federal cross-state ozone transport requirements from electric generating units in the state, including PacifiCorp's generating units. These actions changed a foundational assumption within the 2023 IRP. This was anticipated to materially change the economic selection of resources from the 2023 IRP. PacifiCorp suspended its 2022 All-Source Request for Proposals (2022AS RFP) until analysis could be performed to evaluate these impacts. This analysis is expected to be published on April 1, 2024 in PacifiCorp's 2023 IRP Update. To date, no resources have been acquired as a result of PacifiCorp's 2023 IRP.

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KUC Data Request 1.9

KUC Data Request 1.9

When the Company acquires generation resources, is it constrained by the load forecast included in the most recent IRP or does it utilize updated load forecast information?

Response to KUC Data Request 1.9

The Company objects to this response as not reasonably related to the discovery of admissible evidence, and is outside the scope of permitted discovery. It is unclear how the Company's generation resource acquisition strategies are reasonably related to Kennecott Utah Copper, LLC's (Kennecott) Application or the Company's direct testimony in this proceeding. Notwithstanding the foregoing objection, the Company responds as follows:

Procurement decisions are based on best available information at the time, including an updated load forecast where appropriate.

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KUC Data Request 1.10

KUC Data Request 1.10

2023 IRP Update Draft. Please refer to PacifiCorp's 2023 IRP Update Draft dated January 31, 2024. Please produce all work papers sufficient to show the specific values included in the forecasted annual load (GWh) and forecasted annual coincident peak load (GW) in the May 2023 load forecast referred to in PacifiCorp's 2023 IRP Update Draft.

Response to KUC Data Request 1.10

Please refer to Attachment KUC 1.10 which provides the work paper containing the specific values included in the forecasted annual load (gigawatt-hours (GWh)) and forecasted annual coincident peak (CP) load (gigawatt (GW)) in the May 2023 load forecast referred to in PacifiCorp's draft 2023 Integrated Resource Plan (IRP) Update.

KUC Data Request 1.11

2020 AS RFP Projects. Of the projects selected to the final shortlist of the 2020 All-Source RFP and with which PacifiCorp has entered into a contract, please identify each project by name and, for each project, state (i) the resource type (wind, solar, solar + storage, etc.), the location (by state), the MW capacity of the resource, the MW storage capacity of the resource (if any), and the currently-expected commercial online date of each project.

Response to KUC Data Request 1.11

The Company objects to this response as not reasonably related to the discovery of admissible evidence, and is outside the scope of permitted discovery. It is unclear how the Company’s final shortlist (FSL) from the 2020 All Source Request for Proposals (2022AS RFP) are reasonably related to Kennecott Utah Copper, LLC’s (Kennecott) Application or the Company’s direct testimony in this proceeding. Notwithstanding the foregoing objection, the Company responds as follows:

Please refer to the table below regarding projects associated with PacifiCorp’s 2020AS RFP FSL which are now under contract:

Project Name	Resource Type	Entitlement	Megawatts (MW)	Forecasted Commercial Operation Date (COD)	County / State
Anticline Wind	Wind	Purchase	100.50	December 31, 2024	Natrona, WY
Boswell Springs Wind	Wind	Purchase	320.00	December 31, 2024	Albany, WY
Cedar Creek Wind	Wind	Purchase	151.80	March 31, 2024	Bingham, ID
Cedar Springs IV Wind	Wind	Purchase	350.40	December 31, 2024	Converse, WY
Green River Energy Center	Solar + Battery Storage Capability	Purchase	400.00	May 31, 2026	Emery, UT
Rock Creek I Wind	Wind	Owner	190.00	June 1, 2025	Carbon, WY
Rock Creek II Wind	Wind	Owner	400.00	September 1, 2025	Carbon, WY
Two Rivers Wind	Wind	Purchase	280.00	March 31, 2025	Carbon, WY



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South Jordan, Utah 84009
Jeff.Armington@riotinto.com (C)

RE: UT Docket No. 23-035-51
KUC 2nd Set Data Request (1-8)

Please find enclosed Rocky Mountain Power's Responses to KUC 2nd Set Data Requests 2.1-2.8. Also provided is Attachment KUC 2.8. Provided via BOX is Confidential Response KUC 2.7 and Confidential Attachments KUC 2.7-2. Confidential information is provided subject to Public Service Commission of Utah (UPSC) Rules R746-1-601-606. Also provided via BOX is Customer-Specific Confidential Attachment KUC 2.7-1, which contains customer-specific information and is considered business confidential. The Company requests special handling. In addition to the confidentiality provisions, this information is confidential business information as described in Utah Code section 63G-2-305(2) and (3). The information is therefore protected from disclosure through a Government Records Access and Management Act (GRAMA) request.

If you have any questions, please call me at (801) 220-2823.

Sincerely,

_____/s/_____
Jana Saba
Manager, Regulation

Enclosures

C.c.: Madison Galt/DPU dpudatarequest@utah.gov mgalt@utah.gov (C)

KUC Data Request 2.1

Please refer to lines 498-500 of the direct testimony of Craig Eller, in which Mr. Eller asserts that “[t]he Company does not have adequate time to acquire incremental resources to serve Kennecott’s load in 2026 resulting in an increased risk of market purchases”. Please respond to the following:

- (a) Has RMP performed any projected dispatch modeling to determine what resources would be utilized to serve load that includes Kennecott and load that excludes Kennecott starting in 2026? If so, please produce it.
- (b) Has RMP performed any modeling or analysis to determine whether service to load that includes Kennecott starting in 2026 would result in increased or decreased dispatch of existing system generation resources as compared to service to load that does not include Kennecott? If so, please produce it.
- (c) Has RMP performed any modeling or analysis to determine whether service to load that includes Kennecott starting in 2026 would result in increased or decreased acquisition of market purchases as compared to service to load that does not include Kennecott? If so, please produce it.
- (d) Has RMP performed any modeling or analysis to determine whether service to load that includes Kennecott starting in 2026 would result in increased or decreased costs related to the acquisition of market purchases as compared to service to load that does not include Kennecott? If so, please produce it.

Response to KUC Data Request 2.1

No specific Kennecott Utah Copper, LLC (Kennecott) analysis has been performed. Please refer to PacifiCorp’s 2023 Integrated Resource Plan (IRP), which excludes Kennecott load from January 1, 2026 forward. PacifiCorp’s 2023 IRP is publicly available and can be accessed by utilizing the following website link:

[Integrated Resource Plan \(pacificorp.com\)](https://www.pacificorp.com/irp)

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KUC Data Request 2.2

KUC Data Request 2.2

Has RMP performed any modeling or analysis to determine Kennecott's contribution to fixed system costs if RMP were to serve Kennecott starting in 2026 at Schedule 31 rates? If so, please produce it.

Response to KUC Data Request 2.2

No.

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KUC Data Request 2.3

KUC Data Request 2.3

Has RMP performed any modeling or analysis to determine what impact serving load that includes Kennecott starting in 2026 will have on RMP's revenue requirement as compared to serving load that does not include Kennecott? If so, please produce it.

Response to KUC Data Request 2.3

The Company has not performed any analysis or modeling on serving or not serving load for Kennecott Utah Copper, LLC (Kennecott) starting in 2026.

KUC Data Request 2.4

Please refer to 233-235 of the Direct Testimony of Craig Eller, in which RMP states: “The Company estimates that it would take approximately four to six years to add additional generation to meet Kennecott’s load without reliance on incremental market purchases”. Please respond to the following:

- (a) Of the projects selected to the final shortlist of the 2017R RFP and which PacifiCorp either constructed itself or for which it entered into a contract for the output, please identify each project by name and, for each project, state the location (by state), the MW capacity of the resource and the date the project reached commercial operation. If all of the facilities at a project were placed in service on the same date, provide that date. If the facilities at a project were placed in service on a circuit-by-circuit basis, please provide the in-service date for each circuit and identify the generation capacity associated with each circuit.
- (b) Identify all generation or storage resources acquired by the Company outside of a solicitation process since January 1, 2017. For each such resource, identify the following:
 - i. the date the Company became aware of the opportunity to acquire the resource;
 - ii. the date the resource was acquired (e.g., the execution date of the PPA/BTA/BSA) or, if the resource was developed by the Company, the date the Company committed to construct the resource;
 - iii. the generation and/or storage capacity of the resource;
 - iv. the location of the resource;
 - v. the resource type (e.g. wind, solar, etc. for a generation resource or BESS or other storage type for a storage resource);
 - vi. the project name of the resource; and
 - vii. the date the resource was placed in service or is expected to be placed in service.

Response to KUC Data Request 2.4

The Company objects to this request as not reasonably related to the discovery of admissible evidence and outside the scope of permitted discovery in this proceeding. It is unclear how the Company’s 2017 Renewable Request for Proposals (2017R RFP) or other generation and / or storage acquisition processes are reasonably related to Kennecott Utah Copper, LLC’s (Kennecott) Application or the Company’s direct

testimony in this proceeding. Notwithstanding the foregoing objection, the Company responds as follows:

- (a) Please refer to the table below regarding resources associated with PacifiCorp’s 2017R RFP which are now under contract:

Project Name	Resource Type	Entitlement	Megawatts (MW)	Commercial Operation Date (COD)	County / State
Cedar Springs I Wind	Wind	Purchase	199.40	December 7, 2020	Converse, WY
Cedar Springs II Wind	Wind	Owner	198.88	December 8, 2020	Converse, WY
Ekola Flats Wind	Wind	Owner	250.00	December 30, 2020	Carbon, WY
TB Flats Wind	Wind	Owner	500.00	December 31, 2020	Carbon, WY

- (b) The Company interprets the request to provide information on “generation or storage resources acquired by the Company outside of a solicitation process” to mean resources pursuant to a power purchase agreement (PPA) other than resources subject contracts pursuant to Oregon Schedule 272, Utah Schedule 32 or Utah Schedule 34. Based on the foregoing interpretation, the Company responds as follows:

Please refer to the table below:

Project Name	Resource Type	Entitlement	Megawatts (MW)	Commercial Operation Date (COD)	County / State
Cedar Springs III Wind	Wind	Purchase	133.3	December 15, 2020	Converse, WY

KUC Data Request 2.5

In lines 567-571 of Mr. Eller's Direct Testimony, RMP proposes that Kennecott be required to pay rates for energy that are the higher of either Schedule 9 energy rates or a market rate for a six-year period.

- (a) Has RMP performed any modeling or any analysis to determine the revenues it would recover from the imposition of such rates?
- (b) Has RMP performed any modeling or analysis to determine whether the revenues associated with such a contract rate would exceed the cost to serve Kennecott?

Response to KUC Data Request 2.5

(a) No.

(b) No.

KUC Data Request 2.6

Please refer to lines 253-257 of Mr. Eller's direct testimony, in which Mr. Eller requests that the Commission "order that the parties negotiate in good faith to determine mutually agreeable terms for service effective January 1, 2026, and upon reaching such terms, to file such agreement for Commission approval prior to its effectiveness, as specified in the Commission-approved ESA". Please respond to the following:

- (a) Has RMP performed any modeling or analysis to determine the rates that would enable RMP to recover the cost to serve load that includes Kennecott's load? If so, please provide it.
- (b) What analysis does RMP contend would need to be required to determine just and reasonable rates for service to Kennecott effective January 1, 2026, so that mutually agreeable terms for service can be achieved?

Response to KUC Data Request 2.6

- (a) No.
- (b) Rocky Mountain Power (RMP) understands that any mutually agreeable terms in a new contract with Kennecott Utah Copper, LLC (Kennecott) would require Public Service Commission of Utah (UPSC) approval. To obtain such approvals, RMP would need to demonstrate reasonable support that the terms are just, reasonable and in the public interest. The specific analyses required to support these demonstrations would be highly dependent upon the particular arrangements achieved by the parties.

KUC Data Request 2.7

CONFIDENTIAL REQUEST - Electric Service Agreement. Please refer to Section 5.01(b) of the current ESA between Kennecott and the Company, pursuant to which

[REDACTED]

- (a) Does the Company serve Kennecott's Block 2 load by [REDACTED] or does the Company utilize economic dispatch of resources, including system resources and market resources, to serve all load including Kennecott's Block 2 load?
- (b) Please provide records sufficient to show the volume of MWh the Company served to Kennecott at Block 2 rates for each hour during calendar years 2021 through 2023.
- (c) Please provide records sufficient to show the volume of MWh the Company purchased from Mid-C for each hour during calendar years 2021 through 2023 and the weighted average price of those market resources for each hour.
- (d) Please provide records sufficient to show the volume of MWh the Company purchased from market resources for each hour during calendar years 2021 through 2023 and the weighted average price of those market resources for each hour.
- (e) Please provide records sufficient to show the percentage of MWh served by the Company to Kennecott at Block 2 rates using existing system resources during calendar years 2021 through 2023.
- (f) Please provide records sufficient to show the percentage of MWh served by the Company to Kennecott at Block 2 rates using market purchases during calendar years 2021 through 2023.

Confidential Response to KUC Data Request 2.7

The requested information is customer specific confidential information. The Company requests special handling.

- (a) In actual system operations, PacifiCorp's system operates dynamically and therefore it is not possible to determine exactly how load obligations, including Kennecott Utah Copper, LLC's (Kennecott) Block 2 load, were met. Load obligations are met through a number of system operational events, such as, but not limited to, decreasing or increasing generation, increasing or reducing sales, increasing or reducing market purchases, utilizing contract rights and / or any combination thereof. Therefore, the Company cannot identify how the system would have operated in the absence of Kennecott's Block 2 load. In addition, the Company does not schedule

[REDACTED]
purchases to explicitly meet Kennecott's load. The use of the [REDACTED]
[REDACTED] market hub for pricing of Kennecott's
Block 2 load is pursuant to the Energy Services Agreement (ESA) dated July 28,
2016.

- (b) Please refer to Customer-Specific Confidential Attachment KUC 2.7-1 which provides the volume of megawatt-hours (MWh) the Company served to Kennecott at Block 2 rates for each hour of calendar years 2021 through 2023.

Note: Customer-Specific Confidential Attachment KUC 2.7-1 contains customer-specific information and is considered business confidential. As stated above, the Company requests special handling. This information is only being provided to the requester (Kennecott), the Division of Public Utilities (DPU), the Office of Consumer Services (OCS) and OCS' consultants. In addition to the confidentiality provisions stated below, this information is confidential business information as described in Utah Code section 63G-2-305(2) and (3). The information is therefore protected from disclosure through a Government Records Access and Management Act (GRAMA) request.

- (c) Please refer to Confidential Attachment KUC 2.7-2 which provides hourly purchase data from calendar year 2021 through 2023. Column "Market" of each tab provides the market associated with each purchase, column "MWH" provides the MWhs for each transaction, and column "Dollars" provides the dollars associated with each transaction.
- (d) Please refer to the Company's response to subpart (c) above.
- (e) Please refer to the Company's response to subpart (a) above. It is not possible to "color-code" electrons and trace them from source to sink. Electrons flow on the path of least resistance and do not follow contractual transmission paths. As such, the Company is unable to provide records to show the percentage of energy that Kennecott received from system resources versus market resources.
- (f) Please refer to the Company's responses to subpart (a) and (e) above.

Confidential information is provided subject to Public Service Commission of Utah (UPSC) Rules R746-1-601-606.

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KUC Data Request 2.8

KUC Data Request 2.8

Official Forward Price Curve. Please produce the Company's most recent Official Forward Price Curve showing the expected prices for the period 2026 through 2032.

Response to KUC Data Request 2.8

Please refer to Attachment KUC 2.8 which provides a copy of PacifiCorp's most recent official forward price curve (OFPC); the December 2023 OFPC.