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## UTAH DEPARTMENT OF COMMERCE

### Division of Public Utilities

MARGARET W. BUSSE  
Executive Director

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## Action Request Response

**To:** Public Service Commission of Utah

**From:** Utah Division of Public Utilities

Chris Parker, Director  
Brenda Salter, Assistant Division Director  
Doug Wheelwright, Utility Technical Consultant Supervisor  
Gary Smith, Utility Technical Consultant  
Joanna Matyjasik, Utility Analyst

**Date:** January 18, 2023

**Re:** **Docket No. 23-035-T01**, Rocky Mountain Power's Proposed Tariff Revisions to Electric Service Schedule No. 94 - Energy Balancing Account.  
**Docket No. 09-035-15**, Application of Rocky Mountain Power for Approval of its Proposed Energy Cost Adjustment Mechanism.

## Recommendation (Approve Tariff Sheets)

The Division of Public Utilities (Division) recommends the Public Service Commission of Utah (Commission) approve the proposed revised 2023 procedural schedule for the Energy Balancing Account (EBA) as detailed in revised tariff sheet 94.3 filed by Rocky Mountain Power (Company) on January 6, 2023.

## Background

On March 30, 2022, the Commission issued its order approving the Company's Proposed Tariff Modification to Electric Service Schedule No. 94, Energy Balancing Account ("Schedule 94") in Docket Numbers 22-035-T05 and 09-035-15. This order modified the procedural schedule contained in Schedule 94 to implement an interim rate process and to conform to the understood 300-day statutory period approved during the 2021 Utah legislative sessions and established under Utah Code 54-7-13.5. The Commission's order

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noted the Company's intent to file a future anticipated procedural schedule, beginning with the 2023 EBA.

On January 6, 2023, the Company filed a proposed revised EBA procedural schedule in Schedule 94. The Company's revised schedule moves the annual filing date from March 15, with an interim rate effective date of May 1, to a filing date of May 1, with an interim rate effective date of July 1. Moving the filing date would require the Commission issuing its order on or about February 25 to adhere to the 300-day statutory timeframe, as interpreted. The Company's revised Tariff Sheet No. 94.3 proposes a revised annual EBA schedule beginning with the 2023 EBA.

## **Conclusion**

The Division has reviewed the Company's Schedule 94 tariff filing, with its requested procedural schedule commencing in 2023, and has confirmed that the proposed schedule matches the future anticipated schedule outlined in Docket Numbers 22-035-T05 and 09-035-15. In compliance with Rule R746-405-2(D), the Company stated that its proposed tariff revisions do not constitute a violation of state law or Commission rule.

The Division recommends that the Commission approve the revised Schedule 94 tariff filed January 6, 2023 and make it available for public inspection.

cc: Michele Beck, Office of Consumer Services  
Joelle Steward, Rocky Mountain Power  
Jana Saba, Rocky Mountain Power