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# UTAH DEPARTMENT OF COMMERCE

## Division of Public Utilities

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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 Director  
Doug Wheelwright, Utility Technical Consultant Supervisor  
Abdinasir Abdulle, Utility Technical Consultant Supervisor  
Jonathan Lee, Utility Analyst

**Date:** June 28, 2024

**Re:** **Docket No. 24-022-01**, Bridger Valley Electric Association's Wildland Fire Protection Plan.

## Recommendation (Acknowledge with Recommendation)

The Division of Public Utilities (Division) recommends the Public Service Commission (Commission) acknowledge the Bridger Valley Electric Association (Bridger Valley or Company) Wildland Fire Protection Plan (WFPP), April 2024, revision as meeting the requirements under Utah Code §54-24-203(1-3). The Division has identified areas of improvement and encourages the Company to include the recommendations in future filings.

## Issue

Utah Code Section §54-24-203(3)(a) requires an electric cooperative to submit its WFPP to its governing authority on or before June 1, 2020. The governing authority will review the WFPP with input from the Division of Forestry, Fire, and State Lands along with other appropriate federal, state, or local entities. The governing authority will submit the approved WFPP to the Commission beginning in October 2020 and every third year thereafter. Utah

Division of Public Utilities

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Code 54-203-4(a) requires an electric cooperative to (a) file with the governing authority an annual report detailing the electric cooperative's compliance with the WFPP; and (b) file with the Commission a copy of the annual compliance report.

On January 17, 2024, Bridger Valley filed a copy of its annual WFPP Compliance Report (Compliance Report). On the same date, the Commission issued an Action Request to the Division asking the Division to review the filing and clarify a discrepancy in the completion date of the WFPP, filing dates, and compliance with Utah Code §54-24-203. The Division reported back on February 14, 2024, that Bridger Valley's Compliance report was presented to its governing authority at a regular board meeting that was held on October 10, 2023, and filed with the Commission on January 17, 2024. However, the Division determined that Bridger Valley did not submit its WFPP to the Commission as required by Utah Code §54-24-203(3)(a) following the June 1, 2020, governing authority review. During the discussion with the Company, it was determined that the WFPP was completed in January 2021. While the Company indicated that the report was mailed to the Commission, the January 2021 WFPP was never received or filed with the Commission. The January 2024 Compliance Report filing included the January 2021 WFPP as an attachment; however, the WFPP was determined to be outdated, not updated, and not in compliance with Utah Code and the Division recommended that the Company provide the Commission as soon as practical its revised WFPP in compliance with Utah Code §54-24-203(3)(a).

On May 30, 2024, Bridger Valley filed its updated WFPP with the Commission, and on the same date, the Commission issued an Action Request for the Division to review the filing for compliance and make recommendations. The Commission asked the Division to report back by June 28, 2024. This memorandum is the Division's response to the Action Request.

## **Discussion**

Bridger Valley is a non-profit rural electric distribution cooperative. Utah Code Section §54-24-203(1-3) requires electric cooperatives to prepare and file with the Commission the WFPP in October 2020, and every third year thereafter. In compliance, Bridger Valley in coordination with SWCA Environmental Consultants and BKI Engineering prepared its updated WFPP. The WFPP submitted by Bridger Valley includes contents relating to

wildfire risk analysis, wildfire prevention strategies and protocols, community outreach and education, etc. The purpose of this filing was to comply with Utah Code, protect the public, minimize the chance of the cooperative's power lines starting wildfires, and speed up the recovery from any wildfires that may occur.

The Division's review of the WFPP included a comparison of the January 2021 WFPP, with the April 2024 WFPP. The 2024 WFPP appears to be updated, more detailed, comprehensive and has minimal foundational changes.

The main sections of the WFPP that are addressed are:<sup>1</sup>

1. Introduction and Overview
2. Existing Wildfire Planning Efforts
3. Wildfire Prevention Strategy and Program
4. Wildfire Risk Analysis and Risk Drivers
5. Wildfire Prevention Strategies and Protocols
6. Community Outreach and Education
7. Integration with Applicable Plans

Bridger Valley has outlined its WFPP for wildfire prevention and the Division has reviewed the filing and determined that it contains a point-by-point discussion of the requirements of the code. Based on its review, the Division concludes that Bridger Valley's filing complies with Utah Code §54-24-203(1-3).

The Division, however, also notes that some section(s) of the 2024 WFPP still contain data up to only 2016.<sup>2</sup> The charts, which incorporated the 1974 – 2016 data, do not affect the overall integrity of the 2024 WFPP because they attempt to demonstrate historical trends for temperatures and precipitation of a specific locality. This information should be updated with the most current data available. It is expected that future versions of the Company's WFPP will include the most current information to monitor weather trends and improve the usefulness of the report.

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<sup>1</sup> 2024 Wildland Fire Protection Plan, Pages i - iii

<sup>2</sup> Wildland Fire Protection Plan, Pages 25-26; Daily temperature chart, average precipitation chart

The Division also recommend the Company provide additional details and descriptions of proposed modifications or upgrades to facilities and preventative programs intended to reduce the risk of its electric facilities initiating a wildland fire. Such a schedule of maintenance, repair, replacement, or planned upgrades, with estimated costs, on Bridger Valley's system will also allow for more accountability and align its WFPP to its annual compliance reporting requirements.

## **Conclusion**

Based on its review, the Division recommends the Commission acknowledge the Bridger Valley Electric Association Wildland Fire Protection Plan, April 2024, revision as meeting the requirements under Utah Code §54-24-203(1-3). The Division has identified areas of improvement and encourages the Company to include the recommendations in future filings.

cc: Michele Beck, Office of Consumer Services  
Bob Larson, BVEA Operations Manager