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

**Date:** November 27, 2024

**Re:** **Docket No. 24-032-02**, Raft River Rural Electric Cooperative's Wildland Fire Protection Plan.

## Recommendation (Acknowledge with Recommendation)

The Division of Public Utilities (Division) recommends the Public Service Commission (Commission) Acknowledge with Condition and Recommendations, Raft River Rural Electric Cooperative's (Raft River) Wildland Fire Protection Plan (WFPP) as complying with Utah Code §54-24-203 – Wildland Fire Protection Plan for an Electric Cooperative.

## Issue

Pursuant to Utah Code §54-24-203(3)(a), an Electric Cooperative will file a WFPP: i) on or before June 1, 2020; and ii) on or before October 1 of every third year after the calendar year 2020. On November 4, 2024, Raft River filed its 2022 WFPP. On November 5, the Commission issued an Action Request to the Division requesting the Division review Raft River's filing for compliance and make recommendations by December 4, 2024. This memorandum represents the Division's response to the Action Request.

Division of Public Utilities

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## Discussion

Raft River Rural Electric Cooperative is an electrical distribution cooperative. Utah Code §54-24-203(3)(a), requires electric cooperatives to prepare a Wildland Fire Protection Plan: i) on or before June 1, 2020; and ii) on or before October 1 of every third year after the calendar year 2020. Utah Code §54-24-203(4) requires an electric cooperative to file with its governing authority an annual report detailing the electric cooperative's compliance with the WFPP and to file with the Commission a copy of the annual compliance report. On October 28, 2024, Raft River filed its annual WFPP Compliance Report for 2023 in Docket No. 24-032-01. On the same day, the Commission issued an Action Request to the Division requesting the Division review Raft River's annual Compliance filing for compliance and make recommendations by November 27, 2024.

When the Division started to review the 2024 Compliance filing (for the calendar year 2023), the Division could not locate an updated WFPP other than the original 2020 WFPP filed on August 11, 2020. The Division then contacted Raft River and Raft River was surprised that the updated WFPP was not already filed with the Commission in 2023. Raft River subsequently submitted its updated WFPP. SWCA Environmental Consultants prepared the WFPP in October 2022, and it was approved by Raft River's Board of Directors on October 26, 2022. Although it was not filed with the Commission contemporaneously, the WFPP was prepared and approved internally before the statutory deadline of "on or before October 1 of every third year after the calendar year 2020...." the Division reviewed the 2022 updated WFPP and the associated appendixes as filed. This is the Division's summary of Raft River's 2022 WFPP.

Raft River's updated WFPP covers its operation area; namely, southern Idaho, northeastern Nevada, and northwestern Utah. The Division's review focused on the Utah part of the WFPP, though the Division also looked at the WFPP as a whole since other parts of the system would affect the Utah service area. In Utah, Raft River's service area includes approximately 2,300 square miles in Box Elder County, Utah, and contains 80 miles of 138-kV transmission lines, 425 miles of overhead and 75 miles of underground distribution lines, and 3 substations. Raft River services 727 members in Utah as of 2022.

The plan is organized in eight sections and several appendixes. The main sections of the WFPP that are addressed are:<sup>1</sup>

1. Introduction of the WFPP
2. Overview of WFPP
3. Risk Analysis of Wildfires and Other Natural Disasters
4. Wildfire Prevention Strategies and Protocols
5. Situational Awareness
6. Communications (Internal and External)
7. Plan Implementation / Costs
8. Literature Cited

The six appendixes showed: a) various maps including historical fires in Raft River's service area, fire behavior, terrain characteristics, and fuel modeling in the service area; b) Wildfire Behavior analysis approach; c) Risk Analysis including Matrices and detailed Mapping; d) Nevada Legislation; e) Utah Legislation; and f) Emergency Response Plan / Contacts.

The Division reviewed the filing and determined that it contains a point-by-point discussion of the requirements of the code. The content of this plan includes procedures for inspections, vegetation management, preventive programs, de-energizing power lines, etc. The purpose of the filing was to comply with Utah Code, protect the public, minimize the chance of the cooperative's power lines starting wildfires, and speed the recovery from any wildfires that may occur. Therefore, the Division concludes that Raft River's filing technically complies.

However, the Division noticed that the budgeted Wildland Fire Protection Plan costs shown in the updated October 2022 WFPP are for 2021 – 2024.<sup>2</sup> The Division's understanding is that the legislature intended to have Raft River or any other electric utility company file an updated WFPP on or before October 2023 showing its planned budgeted spending for the calendar years 2024 – 2026. The next WFPP is due in October 2026, which leaves an anticipated expenditure gap of two years.

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<sup>1</sup> Wildland Fire Protection Plan, Page i,ii

<sup>2</sup> Wildland Fire Protection Plan, age 52, Table 8.

## **Recommendation**

The Division recommends that the Commission accept Raft River's October 2022 WFPP with the Condition that Raft River update the plan to include 2024 - 2026 planned budgets and resubmit it back to the Commission as soon as reasonably possible. The Division also recommends that Raft River align its future WFPP and Compliance reports with statutory dates as required by §54-24-203. For the future WFPP, the Division recommends that the WFPP be prepared in 2026 and filed on or before October 1, 2026. Such a plan should also be coordinated with the Utah Division of Forestry, Fire, and State Lands for its input as required by Utah Code §54-24-203(3)(b)(ii)(A). The Division also recommends, if possible, that anticipated expenditures to implement the plan (Table 8, page 52), be broken out by State so that each State's governing authority knows what amount is planned for each service area, as well as in whole.

## **Conclusion**

Based on its review of the filing, the Division supports the filing and recommends the Commission Acknowledge with the Conditions that Raft River has largely complied, retroactively, with the filing requirements for Utah Code §54-24-203. The conditions the Commission should require are: 1) Raft River file a 2026 WFPP plan in compliance with Utah Code; 2) Raft River resubmit its WFPP showing budgeted costs for the calendar year 2024 - 2026 so that future Compliance reports can be properly evaluated against the WFPP, and 3) Raft River provide anticipated expenditures by state within its service area.

cc: Chad Black, General Manager, Raft River Rural Electric Cooperative  
Michele Beck, Office of Consumer Services