

Sophie Hayes (12546)  
Western Resource Advocates  
307 West 200 South, Suite 2000  
Salt Lake City UT 84101  
801-212-9419  
sophie.hayes@westernresources.org

*Attorney for Western Resource Advocates*

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

Investigation Re: Open Market Operations	DOCKET NO. 24-035-10 <u>WESTERN RESOURCE ADVOCATES'</u> <u>RESPONSE TO ROCKY MOUNTAIN</u> <u>POWER'S REQUEST TO CLOSE</u> <u>TECHNICAL CONFERENCE</u>
--	---

Western Resource Advocates (“WRA”) hereby responds to Rocky Mountain Power’s Request to Close Technical Conference to the Public (“Request”), filed by PacifiCorp d/b/a Rocky Mountain Power (“RMP” or “Company”) on March 14, 2024, and requests permission to participate in the technical conference scheduled for April 2, 2024. While WRA does not object to the technical conference being designated confidential, WRA requests that it be permitted to attend the technical conference subject to the Commission’s confidentiality rules.

Utah Administrative Rule R746-1-602 governs disclosure of confidential information and states that the Commission, the Division of Public Utilities, and the Office of Consumer Services are allowed to receive and review confidential and highly confidential information. Other specified persons are also entitled to receive and review confidential and highly confidential information after signing a non-disclosure agreement, except for persons who, in performing

normal job functions, could use the information to the competitive disadvantage of the person providing the information. R746-1-602(2)(a). “The party that wishes to restrict or deny access to confidential or highly confidential information ... has the burden to demonstrate the competitive disadvantage claimed.” R746-1-602(2)(b).

In its Request, RMP indicated that, at the technical conference, “the discussion will involve sharing strategies and decision-making information that is considered confidential and competitively sensitive and could harm [the Company’s] customers if publicly exposed” and that the information “would place [the Company] at a competitive disadvantage when engaging in market transactions.” Request at page 2. WRA does not dispute the Company’s concerns and does not oppose designating the technical conference as confidential, provided that parties who satisfy the confidentiality rules be permitted to attend the technical conference subject to the rules. WRA has filed a petition to intervene as well as signed non-disclosure agreements for designated staff entitled to receive and review confidential information pursuant to R746-1-602(1)(b)(i). If RMP asserts that signatories of the non-disclosure agreement are market participants that could use the information to the Company’s competitive disadvantage, RMP will need to make that showing as required by R746-1-602(2)(b).

WHEREFORE, WRA respectfully requests that the Commission allow WRA to participate in the confidential technical conference on April 2, 2024, subject to the Commission’s confidentiality rules.

Dated this 25<sup>th</sup> day of March 2024.

Respectfully submitted,

WESTERN RESOURCE ADVOCATES

A handwritten signature in black ink, appearing to read 'SHAYES', written over a horizontal line.

Sophie Hayes (12546)  
Western Resource Advocates  
307 West 200 South, Suite 2000  
Salt Lake City UT 84101  
801-212-9419  
[sophie.hayes@westernresources.org](mailto:sophie.hayes@westernresources.org)

CERTIFICATE OF SERVICE  
Docket No. 24-035-10

I hereby certify that a true and correct copy of the foregoing was served by email this 25th day of March 2024 on the following:

**Rocky Mountain Power**

Joseph Dallas

joseph.dallas@pacificorp.com

Jana Saba

jana.saba@pacificorp.com

Carla Scarsella

carla.scarsella@pacificorp.com

Ajay Kumar

ajay.kumar@pacificorp.com

datarequest@pacificorp.com

utahdockets@pacificorp.com

**Division of Public Utilities**

Madison Galt

mgalt@utah.gov

Chris Parker

chrisparker@utah.gov

Patrick Grecu

pgrecu@agutah.gov

Patricia Schmid

pschmid@agutah.gov

dpudatarequest@utah.gov

**Office of Consumer Services**

Michele Beck

mbeck@utah.gov

Robert Moore

rmoore@agutah.gov

Bela Vastag

bvastag@utah.gov

Alyson Anderson

akanderson@utah.gov

Alex Ware

aware@utah.gov

Jacob Zachary

jzachary@utah.gov

ocs@utah.gov

**Utah Association of Energy Users**

Phillip J. Russell

prussell@jdrsllaw.com

Kevin Higgins

khiggins@energystrat.com

Neal Townsend

ntownsend@energystrat.com

Shantell Garrett

sgarrett@energystrat.com

**Western Resource Advocates**

Sophie Hayes

sophie.hayes@westernresources.org

Karl Boothman

karl.boothman@westernresources.org

Jessica Loeloff

jessica.loeloff@westernresources.org

Nancy Kelly

nancy.kelly@westernresources.org

/s/ Jessica Loeloff