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Utah Public Service Commission
Heber M. Wells Building
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RE: Consolidated Docket Nos. 25-R318-01 & 24-035-43
Proposed Rulemaking Concerning Utah Code §§ 54-26-101 to -901, Large-Scale Electric Service Requirements
DPU's Request for an Investigatory Docket Regarding RMP's Line Extension Policy for Large Loads
Comments of Western Resource Advocates re: Suggested Scope and Principles of Potential Large Load Flexible Tariff

I. SUMMARY

Western Resource Advocates submits these comments in response to the Commission's Scheduling Order, which asked for parties to submit scoping comments for certain large load flexible tariff characteristics.

"The commission shall investigate a large load flexible tariff for a qualified electric utility and adopt one if it determines that the tariff is just and reasonable and in the public interest. In conducting the investigation, the commission shall consider (a) the conditions and times for the tariff; (b) the means of determining the rates, terms, and conditions pursuant to which a qualified electric utility may provide electric services to a large load customer; and (c) the conditions under which a qualified electric utility may require a large load customer to reduce or eliminate electric usage under the large flexible load tariff."[1]

II. DISCUSSION

The question remains whether Rocky Mountain Power has - or will have - sufficient system resources to serve large load service requests. Section 54-26-101(8)(b)(i) includes in the definition of "Large load flexible tariff" the provision that "the qualified electric utility's resources are reasonably expected to be available and sufficient" among other criteria. Assuming large loads materialize, any large load flexible tariff should include substantial ratepayer and grid protections. Without proper safeguards, large loads pose a threat to resource adequacy, energy affordability, clean energy deployment, and other environmental resources. At a minimum, a

[1] U.C.A. § 54-26-701(1)-(2).

flexible load tariff should thoroughly address ratepayer protections and system reliability protections to facilitate access to utility services.

WRA proposes the following, non-exhaustive list of criteria found in recently adopted large load flexible tariffs from other jurisdictions but expects to respond to other parties' suggestions in reply comments.

A. Ratepayer Protections

1. Upfront or in-kind investment requirements

a. New customers should be required to fund upgrade costs upfront, submit Contributions in Aid of Construction (CIAC), or post bonds to ensure that ratepayers are not responsible for infrastructure used by the large customer or stranded if the customer load does not materialize. This is paramount to ensure non-discriminatory rates to other customers and demonstrates a long-term commitment to remaining on the utility system.
b. If appropriate, upfront costs may be refunded over time in accordance with cost causation principles, especially if overcollection can be verified.

2. Cost Assignment

a. Some jurisdictions require large customers to fund system impact studies in order to quantify an upper and lower bound of additional system costs. These studies can be used to identify a minimum cost obligation for the large customer and inform any bonding or collateral requirements.

3. Credit assurances and/or collateral requirements

a. These requirements can include letters of credit, credit rating, and liquidity requirements of the customer or corporate parent, or cash as collateral.

B. Rate Design Considerations

1. Load shedding or demand response participation

a. Several options exist but may include event-based interruptible service, incentive-based interruptible service, or customer-specific contract provisions.
b. Maximum hours per year and amount of interruptible load must be clearly defined as well as applicable noticing requirements to customers.
c. Event criteria should also be addressed. This could include system load provisions, emergency response provisions, seasonal modifiers, etc.

2. Demand charges and ratchets

a. Tariffs may include minimum demand charges as a percentage of maximum load, or demand ratchets based on historical usage as a way to offset capacity costs incurred by the utility to procure incremental generation or purchased power.

3. Time-based rates

a. Rates may be designed as traditional time-of-use rates, seasonally differentiated rates, critical peak pricing/peak time rebates, or real-time pricing.

C. Contractual Criteria and Eligibility

1. Minimum contract length and/or exit fees

a. A tariff should address minimum contract lengths, early termination fees, and criteria for contract renewal.
b. These requirements may differ for new large loads in comparison to existing customers entering service on the large load flexible tariff (if allowed).

2. Load ramping requirements

a. Some tariffs may include a limited time window in which a customer must meet its maximum demand. Certainty is crucial to utility planning efforts and may mitigate the risk of stranded assets to serve large loads.

3. Load factor requirements

a. If the utility and stakeholders deem load factor to be an important attribute, minimum load factor requirements could be included.
b. Exemptions may be appropriate if designed around low-cost, non-emitting generation patterns for cyclical loads.

4. Minimum/maximum demand

a. Tariffs may include upper or lower limits on demand or energy that the customer must pay for.
b. Penalties and/or suspension of service should be considered if the customer does not meet its obligations.

5. Expansion or decrease of service request

a. A tariff should include avenues by which a customer can petition for expansion or contraction of contractual service provisions.
b. A tariff could include a limited time window in which such requests can be made, especially for reductions in contract capacity.

6. Penalties for non-achievement or decrease in interruptible demand

a. Similar to formal demand response programs, certain rules should be adopted around penalties, penalty-free opt-outs, or other scenarios in which the customer's load cannot be interrupted.
b. The tariff should provide a pathway for customers to reduce or increase interruptible capacity with appropriate penalties or incentives.

7. Eligible backup generation

a. Backup generation may be desirable for both the customer and the utility. Certain types of backup generation may be allowed.
b. Other types of backup generation may be deemed ineligible for demand response or load shedding participation in accordance with the public interest and emissions/air quality concerns (i.e. diesel generation may not be appropriate to satisfy periods of service interruption).

8. Eligible customer type

a. It must be determined whether the large load flexible tariff is available to data center/compute customers, other large industrial customers, new or existing customers.

D. Cost-of-service and Accounting Provisions

1. Reporting requirements by customer and large load customer class

a. Performance on any flexible load tariff must be verifiable and reported at the customer and/or class level.
b. The tariff may require a utility to track all costs incurred to serve individual customers.

E. Interconnection Incentives

1. Flexible/non-firm service as a speed-to-interconnection incentive

a. Acknowledging that a rule has been adopted for the review of special contracts and that it may or may not be feasible to compress the interconnection queue process further, large customers agreeing to non-firm or highly flexible service provisions may greatly reduce the grid impacts and cost-of-service relative to firm service requirements.

III. CONCLUSION

WRA requests that in the April 2 technical conference, the Company present information about its current large load interconnection process (for interconnections to either the distribution system or the transmission system). What does the process entail and what are the associated timelines? Does the Company have data-sharing requirements for large load interconnections (e.g. to model and mitigate potential reliability impacts or to more accurately inform resource planning or system operations)? Does the company have specific requirements or criteria to avoid including speculative requests in the queue?

Sincerely,

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CERTIFICATE OF SERVICE
Docket Nos. 25-R318-01 and 24-035-43

I hereby certify that a true and correct copy of the foregoing was served by email this 5th day of March 2026 on the following:

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