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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

In the Matter of Rocky Mountain Power's Proposed Tariff Changes to Electric Service Regulation No. 7, Metering	DOCKET NO. 24-035-T01  <b>ROCKY MOUNTAIN POWER'S PETITION FOR RECONSIDERATION OF ORDER SUSPENDING TARIFF</b>
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Pursuant to Utah Code Ann. §§ 54-17-15 and 63G-4-301, and Utah Admin. Code R746-1-801, Rocky Mountain Power, a division of PacifiCorp (“Rocky Mountain Power” or the “Company”), hereby petitions the Public Service Commission of Utah (“Commission”) to review and reconsider the Order on Proposed Tariff Changes to Electric Service Regulation No. 7 (“Tariff Order”) issued on February 20, 2024, in this matter.

On January 22, 2024, the Company filed proposed tariff changes to Electric Service Regulation No. 7, Metering (“Tariff Revisions”), regarding its sub-metering tariff language, to be effective April 15, 2024. The Division of Public Utilities (“Division”) filed comments in this docket on February 1, 2024, recommending the Commission’s approval of the proposed tariff changes. On February 20, 2024, the Commission issued the Tariff Order, stating the Company was creating a categorical exemption to master metering where a case-by-case analysis applies. The Company requests that the Commission reconsider this decision since the Company’s proposed tariff changes do not seek to create a categorical exemption for master metering or circumvent the

case-by-case analysis, but rather seek to allow sub-metering for customers that already have qualified under an existing master-metering exemption and meet additional specific criteria.

### **RELIEF REQUESTED**

The Company respectfully requests the Commission reconsider the Tariff Order because the Company's Tariff Revision did not intend to propose changes to how or when a customer may qualify or obtain a master metering exemption under R746-210. The Company's Tariff Revision does not provide a categorical exemption to master metering under R746-210-2(A) and was not intended to override or provide an exemption to the case-by-case analyses required for customers seeking master metering under R746-210-3. Rather, the Company's Tariff Revisions proposed to allow sub-metering practices for certain customers that have already qualified for a master metering exemption. Master-metering entails allowing multiple entities to receive service from a single Company meter, typically a situation where there is a landlord and tenant(s). Sub-metering is metering the usage of tenant(s) behind the master-meter. While R746-210 provides guidance on when master-metering may exist, the only guidance it provides for sub-metering is that it is not an acceptable alternative to individual metering unless there is exemption to individual metering.<sup>1</sup>

In its Application, the Company proposed to allow sub-metering for customers who meet the qualifications for master metering under R746-210. Under the Company's current tariff language, sub-metering is not allowed except in the singular exception of grandfathered accounts, which is more restrictive than R746-210-5 which states, "there are no circumstances, *other than exemptions*, where submetering is an acceptable alternative to individual metering under the constraints of PURPA (emphasis added)." Therefore R746-210-5 permits sub-metering for exemptions that are granted through any of the following: 1) automatic exemption,<sup>2</sup> 2) exemption

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<sup>1</sup> See Utah Admin. Code R746-210-5.

<sup>2</sup> See Utah Admin. Code R746-210-2.

by cost-effectiveness test<sup>3</sup> and 3) exemption by appeal.<sup>4</sup> The Company proposed the Revised Tariff to allow sub-metering under a second exception in addition to grandfathered accounts. Even with the proposed revisions to allow the second exception, the sub-metering language in the Revised Tariff is still more restrictive than R746-210-5.

By filing these Tariff Revisions, the Company did not intend to allow a blanket exemption instead of a case-by-case exemption under R746-210-3. The Company intended to provide clarifying language to the sub-metering language in the tariff to allow for accurate and transparent billing of tenants, in limited circumstances, where a large customer has met the qualifications for master metering under R746-210. As stated in the Proposed Tariff Changes, the Company proposes to allow sub-metering for customers who have met the qualifications for master metering under R746-210, whether that is through categorical exemption of R746-210-2(A) or the case-by-case exemptions under R746-210-3.

For example, co-location data centers have recently approached the Company to describe the problem these centers face with accurately billing their tenants. Co-location data centers have a single owner who leases space to tenants inside the facility for data processing racks. These tenants are smaller clients within one building. Despite qualifying for master metering under 746-210-3, co-location data centers still face the problem of providing efficient, cost-effective billing procedures to tenants. If individually metered, the repeated change in tenant size would require the Company to continually re-work the metering in the building, which would be frequent and inefficient. Estimating usage or assignment of the utility bill on a square footage basis is also not appropriate because these types of customers have significant energy requirements. Accurate measurement and cost assignment are therefore critical for the co-location data center's success.

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<sup>3</sup> See Utah Admin. Code R746-210-3.

<sup>4</sup> See Utah Admin. Code R746-210-4.

The Company is attempting to eliminate unnecessary restrictions on large customers that qualify for master metering and are capable of accurately metering large tenants. Restrictions on sub-metering under these conditions may result in less accurate billing of master-metered tenants capable of advocating on their own behalf and can be harmful to specific business models such as those for co-location data centers. Allowing sub-metering under restricted conditions when a customer passes the cost-effectiveness test may provide opportunities for enhanced energy efficiency and more efficient business practices.

In summary, the Company's Tariff Revision attempts to provide a more accurate and transparent billing procedure to customers such as co-location data centers that is mutually beneficial for both these customers and their tenants. The sub-metering tariff modification does not implicate how a customer qualifies for a master-metering exemption.

### **CONCLUSION**

The Company respectfully requests that the Commission reconsider the Tariff Order suspending the Tariff Revisions based on the Company's clarification that its intent is that the Tariff Revision only applies to sub-metering when a customer already qualifies and has obtained a master metering exemption under R746-210, through an automatic categorical exemption, a case-by-case cost-effectiveness test or an exemption by appeal.

Dated this 18th day of March 2024,

ROCKY MOUNTAIN POWER

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**CERTIFICATE OF SERVICE**

Docket No. 24-035-T01

I hereby certify that on March 18, 2024, a true and correct copy of the foregoing was served by electronic mail to the following:

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**Division of Public Utilities**

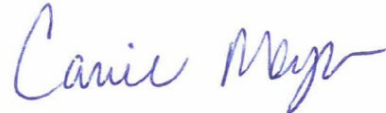
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