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# UTAH DEPARTMENT OF COMMERCE

## Division of Public Utilities

MARGARET W. BUSSE  
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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  
Bob Davis, Utility Technical Consultant

**Date:** October 4, 2024

**Re:** **Docket No. 24-035-T08**, Rocky Mountain Power's Proposed Tariff Changes to Electric Service Schedule No. 70, Renewable Energy Rider Optional, and Electric Service Schedule No. 72, Renewable Energy Rider Optional Bulk Purchase Option

## Recommendation (Approval with Recommendation)

The Division of Public Utilities (Division) concludes that Rocky Mountain Power's (RMP) proposed tariff changes to Schedule Nos. 70 and 72 are just, reasonable, and in the public interest. The Division recommends the Public Service Commission of Utah (Commission) approve RMP's proposed changes to Schedule Nos. 70 and 72 with an effective date of November 1, 2024. The Division recommends the Commission direct RMP to update the Commission periodically on its progress to replace the Green-e® certification.

## Issue

On September 19, 2024, RMP filed its proposed changes to Electric Service Schedule Nos. 70 and 72 with an effective date of November 1, 2024.<sup>1</sup> On September 19, 2024, the Commission asked the Division to investigate RMP's filing and report back by October 3, 2024. On September 24, 2024, the Commission issued its Notice of Filing and Comment

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<sup>1</sup> Application of Rocky Mountain Power's Proposed Tariff Changes to Electric Service Schedule No. 70, Renewable Energy Rider Optional, and Electric Service Schedule No. 72, Renewable Energy Rider Optional Bulk Purchase Option, Docket No. 24-035-T08, September 19, 2024, [hereinafter Application], <https://pscdocs.utah.gov/electric/24docs/24035T08/335528Trf9-19-2024.pdf>.

Period asking any person to submit comments by October 4, 2024, and reply comments by October 11, 2024.

## Background

The Division's understanding of this filing is based on changes made by the Center for Resource Solutions (CRS), Green-e®, impacting the renewable energy credits (RECs). The REC market is administered through the Western Electricity Coordinating Council (WECC).

Due to changes made to the Green-e® program by CRS, RMP claims that it can no longer comply with the Green-e® national standards for its RECs to be Green-e® certified. The certification is required under Special Condition No. 5 in Electric Service Schedule No. 70.4 and Special Condition No. 5 in Electric Service Schedule No. 72.4.<sup>2</sup>

RMP is requesting the Commission approve and confirm that RMP is not required to meet or receive Green-e® program certification for RECs procured under Schedule Nos. 70 and 72. RMP will continue to meet many of the practices that are part of Green-e® certification while it explores additional options to meet its obligations to serve customers with a quality REC-based product.<sup>3</sup>

## Discussion

CRS made changes to its program based on the Oregon Public Utility Commission's (OPUC) Order No. 24-002, in response to Oregon House Bill 2021.<sup>4</sup> The Division has reviewed RMP's filing and market advisories from CRS's website, which corroborate RMP's request for approval to remove certain language from its tariff Schedules that it cannot comply with as a result of CRS's changes.<sup>5</sup> RMP explains that since the inception of the Blue Sky portfolio options, it has not purchased RECs from Company-owned resources and sourced all of its RECs from WECC resources. RMP retires all of its RECs through the

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<sup>2</sup> Application at 1.

<sup>3</sup> Application at 2.

<sup>4</sup> Investigation Into House Bill 2021 Implementation Issues, Docket No. UM 2273, Oregon Public Utility Commission, Order 24-002 (January 5, 2024), at pp. 5-17, <https://apps.puc.state.or.us/orders/2024ords/24-002.pdf>.

<sup>5</sup> Center for Resource Solutions (CRS), *Market Advisory: Oregon House Bill 2021 and Green-e® Standard Change*, February 21, 2024, <https://www.green-e.org/node/6347>, and *Green-e® Energy Certification Program Approach to Oregon's Clean Energy Targets Bill*, August 8, 2024, <https://www.green-e.org/node/6388>, (last visited September 25, 2024).

Western Renewable Energy Generation Information System and intends to use this same procurement strategy for its portfolio products.<sup>6</sup> The Green-e® certification ensures the RECs RMP uses in its program come from 100% green generation resources.

The Division recommends RMP provide the Commission with an update as soon as it finds a replacement for the Green-e® certification. RMP's filing contains the required statement that the tariff sheets proposed do not constitute a violation of state law or Commission rule under Utah Administrative Code R746-405-2(D)(3)(g).

## **Conclusion**

The Division concludes that RMP's filing is just, reasonable, and in the public interest. The Division recommends the Commission approve RMP's filing with an effective date of November 1, 2024. The Division recommends the Commission direct RMP to update the Commission periodically on its progress to replace the Green-e® certification.

cc: Joelle Steward, RMP  
Jana Saba, RMP  
Michele Beck, OCS

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<sup>6</sup> Application, *Supra* note 1, at 2.