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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
Annette Orton, Utility Analyst

Date: February 20, 2025

Re: **Docket No. 25-028-T01**, Garkane Energy Cooperative, Inc.'s Proposed Tariff Revisions.

Recommendation (Acknowledge)

The State of Utah, Division of Public Utilities ("Division") recommends that the Public Service Commission of Utah ("Commission") acknowledge Garkane Energy Cooperative, Inc.'s ("Garkane") proposed Utah Tariffs revisions for Schedules Small EV Charging and Large EV Charging ("Tariff"). The requested effective date for this filing is March 1, 2025.

Issue

On February 10, 2025, Garkane submitted the following revised tariffs to the Commission.

- Schedule Small EV Charging (revised tariff with new rate and Time-of-use rate)
- Schedule Large EV Charging (new tariff)
- Redlined Tariff – Small EV Charging
- Affidavit of Publication of Public hearing notice

Garkane is requesting that the Commission acknowledge the revised tariff with an effective date of March 1, 2025. The proposed tariff changes were reviewed and approved by Garkane Energy's Board of Directors on Monday, January 27, 2025.



Background

On Monday, February 10, 2025, Garkane filed with the Commission certain tariff changes recently approved by its governing board. On Tuesday, February 11, 2025, the Commission issued an Action Request to investigate. This memorandum represents the Division's response to the Commission's Action Request.

Discussion

Garkane filed revised tariff pages for Schedule Small EV Charging and a new tariff Schedule for Large EV Charging for its Utah tariffs. In compliance with the Utah Code Ann. § 54-7-12(7), notice was announced on Garkane's website at www.garkaneenergy.com/rates and the proposed tariffs were available for examination and explanation at Garkane offices in Hatch, UT, Loa, UT, and Kanab, UT. Weekly notices were published in *The Insider*, local newspaper throughout Garkane's service territory on January 2, 9, 16, and 23, 2025.

[https://www.utahlegals.com/\(S\(2oocz5d3t5vrxytwjt5sed4a\)\)/Details.aspx?SID=2oocz5d3t5vrxytwjt5sed4a&ID=201549](https://www.utahlegals.com/(S(2oocz5d3t5vrxytwjt5sed4a))/Details.aspx?SID=2oocz5d3t5vrxytwjt5sed4a&ID=201549)

Garkane held a public meeting of its members on January 27, 2025. Following the public meeting, the changes were approved by its Board of Directors.

Utah Code Ann. § 54-3-3 requires utilities to provide at least 30 days' notice to the Commission prior to the effective date of changes to the utility's "...rate, fare, toll, rental, charge or classification...". As noted above, Garkane filed the tariff with the Commission on February 10, 2025, requesting a tariff effective date of March 1, 2025. The current filing did not provide the requisite 30 days' notice. However, Utah Code Ann. § 54-3-3 allows the Commission to acknowledge the tariff changes without requiring the 30 days' notice for good cause. The Division sees no significant or material harm in not having allowed 30-day notice to the Commission.

The Division notes Garkane complied with timely notification of its members and held a public hearing. Utah Admin. Code R746-405-2(D)(6) requires utilities to provide both clean and marked-up versions of tariff sheets identifying the tariff sheet changes and Garkane has provided the redline copy of the tariffs.

Conclusion

The Division recommends the Commission acknowledge Garkane's Small EV Charging tariff revision along with the new Large EV Charging tariff with an effective date of March 1, 2025, and make them available for public inspection. The Division recommends the Commission acknowledge the effective date and remind Garkane of the 30-day notice in future filings.

cc: Neal Brown, Garkane Energy Cooperative, Inc.
Michele Beck, Office of Consumer Services