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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

Abdinasir Abdulle, Utility Technical Consultant Supervisor

David Fields, Utility Analyst

Date: May 28, 2025

Re: **Docket No. 25-031-T02**, Mt. Wheeler Power, Inc.'s Proposed Tariff Revisions

Recommendation (Acknowledge)

The Division of Public Utilities (Division) recommends the Public Service Commission of Utah (Commission) acknowledge the proposed rate change for Mt. Wheeler Power (Mt. Wheeler) customers and make it available for public inspection with an effective date of June 10, 2025.

Issue

On May 19, 2025, Mt. Wheeler filed with the Commission a corrected version of its tariff rate schedule concerning Irrigation Off-Peak (I-OP) service. Previously, Mt. Wheeler inadvertently deleted the Demand Charge section of its policy. On May 20, 2025, the Commission issued an Action Request asking the Division to investigate the filing and to report back by June 2, 2025. This memorandum represents the Division's response to the Commission's Action Request.



Discussion

In its filing Mt. Wheeler indicated a corrected rate adjustment for I-OP services. This additional language is necessary due to an inadvertent deletion of the Demand Charge section of the policy during an update in 2020. The deletion was discovered when for the first time in over 5 years a member in Nevada inquired about using the rate.

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 rate schedule. Mt. Wheeler filed the tariff with the Commission on May 19, 2025, requesting an effective tariff date of June 10, 2025. Utah Code Ann. 54-3-3 allows the Commission to acknowledge 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 reviewed the filing considering Utah Code Ann. 54-7-12(7). This provision requires Mt. Wheeler to file its proposed tariff changes, along with board approval of the changes and customer notification. In compliance with Utah Code Ann. 54-7-12(7), Mt. Wheeler indicated that the Board of Directors had approved including the omitted rate schedules for I-OP services in a meeting held on May 12, 2025.

Mt. Wheeler Corrections to I-OP:

Demand Charge: On Peak Period

First 2 Hours - \$4.75 per Kilowatt per month.

Or Over 2 Hours - \$9.50 per Kilowatt per month

Hours calculated by taking the KWH divided by KW Demand.

Conclusion

The Division recommends that the Commission Acknowledge the revised tariff sheets and make them available for public inspection with an effective date of June 10, 2025.

cc: Kevin Robison, Mt. Wheeler Power, Inc.