

Hearing - June 13, 2025

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- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Rocky Mountain Power's) DOCKET NO. 25-035-01
Application for Approval)
of the 2025 Energy)
Balancing Account)
)
)

JUNE 13, 2025

10:00 A.M. TO 10:17 A.M.

Reporter: Sean P. Sampson, RPR
Certified Court Reporter for the State of Utah
(Attended by video)

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A P P E A R A N C E S

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(Appeared by video)

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A P P E A R A N C E S
(C O N T ' D)

Also Present:

Max Backlund
Annette Orton
Kelley O'Connor
Brenda Salter
Doug Wheelright

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C O N T E N T S

WITNESS(ES)	PAGE
JACK PAINTER	
Examination by Katherine Smith.....	6
ROBERT MEREDITH	
Examination by Katherine Smith.....	11
GARY SMITH	
Examination by Patrick Grecu.....	14

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Hearing - June 13, 2025

P R O C E E D I N G S

1
2 MICHAEL HAMMER: Good morning. We are here for
3 the noticed virtual hearing on interim rates in Rocky
4 Mountain Power's Application for Approval of the 2025
5 Energy Balancing Account. This is Commission Docket
6 No. 25-035-01.

7 My name is Michael Hammer, and I am the
8 Commission's designated presiding officer. Let's begin
9 with appearances, please, beginning with Rocky Mountain
10 Power.

11 KATHERINE SMITH: Yes, hi, Katherine Smith on
12 behalf of Rocky Mountain Power. With me today as
13 co-counsel is Ajay Kumar, and Company witnesses are
14 Mr. Jack Painter and Mr. Robert Meredith.

15 MICHAEL HAMMER: And for the Division of Public
16 Utilities.

17 PATRICK GRECU: Patrick Grecu, assistant
18 attorney general representing the DPU. The Division's
19 witness this morning will be Mr. Gary Smith.

20 MICHAEL HAMMER: Any other parties on the line
21 that -- who would like to enter an appearance?

22 PHILLIP RUSSELL: Yes, good morning, this is
23 Phillip Russell with the Utah Association of Energy
24 Users. We do not have a witness for this hearing.

25 MICHAEL HAMMER: Thank you. All right. Are

1 there any preliminary matters before Ms. Smith calls her
2 first witness?

3 All right, go ahead, Ms. Smith.

4 KATHERINE SMITH: Thank you. Rocky Mountain
5 Power would like to call its first witness, Mr. Jack
6 Painter.

7 MICHAEL HAMMER: Mr. Painter, do you solemnly
8 swear that the testimony you will give in this matter
9 shall be the truth, the whole truth, and nothing but the
10 truth, so help you God?

11 JACK PAINTER: I do.

12 MICHAEL HAMMER: Thank you. Go ahead, please.

13 JACK PAINTER,
14 called as a witness herein, having been first duly sworn
15 to tell the truth, was examined and testified as follows:

16 EXAMINATION

17 BY KATHERINE SMITH:

18 Q. Mr. Painter, can you please state and spell
19 your name for the record.

20 A. Yes. Jack Painter, J-a-c-k P-a-i-n-t-e-r.

21 Q. By whom are you employed, and what is your
22 business address?

23 A. PacifiCorp. My business address is 825
24 Northeast Multnomah Street, Portland, Oregon 97232.

25 Q. And what is your role with the Company?

1 A. I am a net power cost advisor.

2 Q. In your position, have you had the opportunity
3 to review the application and relevant testimony and
4 comments in this proceeding?

5 A. Yes.

6 Q. And did you cause to be filed direct testimony
7 in this proceeding?

8 A. I did.

9 Q. Do you have any changes or corrections to your
10 testimony?

11 A. No.

12 Q. And if I asked you the same questions today as
13 set forth in your testimony, would your answers be the
14 same?

15 A. Yes.

16 Q. Thank you.

17 KATHERINE SMITH: At this time, I'd like to
18 move for admission of Mr. Painter's direct testimony and
19 confidential work paper, as well as Rocky Mountain
20 Power's reply comments filed on June 5th, 2025.

21 MICHAEL HAMMER: They're admitted.

22 KATHERINE SMITH: Thank you.

23 Q. (By Katherine Smith) Mr. Painter, can you
24 please provide a summary of your position?

25 A. Yes.

1 Good morning, Judge Hammer. On May 1st, 2025,
2 Rocky Mountain Power filed its annual EBA to recover
3 \$472 million in costs for calendar year 2024.

4 In its application, the Company proposed to
5 recover this amount over a 12-month period when a -- with
6 an effective date of July 1st, 2025, on an interim basis.
7 Overall, this results in a 1.6 percent average EBA rate
8 increase through Schedule 94.

9 The request in this application includes eight
10 main components: 474.9 million of EBA related costs.

11 A credit of 24.9 million for sales made to a
12 special contract customer.

13 9.2 million in costs for Utah situs resources.

14 A credit of 24.2 million to reflect the 2024
15 EBA order.

16 A 0.2 million adjustment to reflect the
17 remaining balance from the 2023 EBA.

18 A credit of 0.1 million in revenue for the
19 electric vehicle infrastructure program, or EVIP.

20 A credit of 2023 production tax credits.

21 And 36.8 million in interest, which includes
22 interest through the collection period.

23 The EBA rate increase is driven by coal fuel
24 supply constraints, market power natural gas prices, the
25 conversion of Jim Bridgers units 1 and 2 from coal to

1 natural gas, the decommissioning of the Company's hydro
2 generating facilities on the Klamath River, and an
3 extreme weather event as described in more detail in my
4 pre-filed direct testimony.

5 The DPU filed comments in this proceeding
6 recommending the Commission approve the Company's
7 request, but asked the Company to provide a comparative
8 analysis and rebuttal testimony demonstrating the impacts
9 of this proposal, to include interest through the
10 collection period in its application compared to a future
11 EBA filing.

12 Additionally, the DPU also recommends that the
13 Company provide additional details and calculations for
14 the 2023 PTC update in rebuttal testimony.

15 Rather than waiting for rebuttal testimony, the
16 Company has provided explanations and work papers to
17 support the overall lower customer cost by including
18 interest through the collection period in its application
19 and the 2023 PTC update through its reply comments.

20 The Company's proposal is to spread the
21 deferred EBA costs across customer classes consistent
22 with an EBA allocator that allocates the base EBA amounts
23 approved by the Commission and the 2020 GRC as described
24 in the application and direct testimony of Mr. Robert
25 Meredith.

1 This proposed rate change is consistent with
2 prior year's filing because it uses substantially similar
3 methodologies to arrive at total EBA cost. Using these
4 methodologies, the Company has determined that calendar
5 year 2024 EBA costs are more likely to reflect actual
6 power costs than the current base rates.

7 The interim rates requested by the Company will
8 be subject to future audit by the Division of Public
9 Utilities and evaluation at a hearing by the Commission
10 and other parties.

11 I respectfully request that the Commission
12 approve the interim rates per the application with an
13 effective date of July 1st, 2025, subject to a rate
14 refund or a surcharge.

15 Thank you.

16 MICHAEL HAMMER: I believe you're on mute,
17 Ms. Smith.

18 KATHERINE SMITH: I'm sorry. I noticed that as
19 soon as I started speaking.

20 Mr. Painter is available for cross-examination
21 and questions at this time.

22 MICHAEL HAMMER: Mr. Grecu?

23 PATRICK GRECU: I have no questions.

24 MICHAEL HAMMER: Mr. Russell?

25 PHILLIP RUSSELL: No questions. Thank you.

1 MICHAEL HAMMER: And I have none. Thank you,
2 Mr. Painter.

3 JACK PAINTER: Thank you.

4 MICHAEL HAMMER: Ms. Smith, do you have another
5 witness?

6 KATHERINE SMITH: Yes. The Company would like
7 to call Mr. Robert Meredith.

8 MICHAEL HAMMER: Mr. Meredith, do you solemnly
9 swear that the testimony you will give in this matter
10 shall be the truth, the whole truth, and nothing but the
11 truth, so help you God?

12 ROBERT MEREDITH: Yes, I do.

13 MICHAEL HAMMER: Thank you. Go ahead.

14 ROBERT MEREDITH,
15 called as a witness herein, having been first duly sworn
16 to tell the truth, was examined and testified as follows:

17 EXAMINATION

18 BY KATHERINE SMITH:

19 Q. Mr. Meredith, can you please state and spell
20 your name for the record.

21 A. Yes, my name is Robert Meredith. R-o-b-e-r-t,
22 Meredith is spelled M-e-r-e-d-i-t-h.

23 Q. And by whom are you employed and what is your
24 business address?

25 A. PacifiCorp, and my business address is 825

1 Northeast Multnomah Street, Suite 2000, 97232. Portland,
2 Oregon. Did I say Portland, Oregon in there?

3 Q. Yes.

4 A. Yeah, okay. Sorry. Yeah.

5 Q. That's okay. And what is your role with the
6 Company?

7 A. Right now my position is director of regulation
8 for Pacific Power.

9 Q. And in your position have you had the
10 opportunity to review the application and relevant
11 testimony and comments in this proceedings?

12 A. Yes.

13 Q. And did you cause to be filed direct testimony?

14 A. Yes, I did.

15 Q. Do you have any changes or corrections to your
16 testimony?

17 A. I do not.

18 Q. And if I asked you the same questions in your
19 testimony, would your answers be the same?

20 A. They would be the same.

21 KATHERINE SMITH: Okay. At this time I'd like
22 to move for admission of Mr. Meredith's direct testimony
23 and exhibits, two of which are confidential.

24 MICHAEL HAMMER: They're admitted.

25 KATHERINE SMITH: Thank you. Mr. Meredith does

1 not have a summary today, but he is available for
2 questions or cross-examination.

3 MICHAEL HAMMER: Mr. Grecu?

4 PATRICK GRECU: No questions, thank you.

5 MICHAEL HAMMER: Mr. Russell? I'll take that
6 as a no. I have no questions.

7 PHILLIP RUSSELL: Yeah --

8 MICHAEL HAMMER: Oh.

9 PHILLIP RUSSELL: Sorry. That is a no. No
10 questions. Thank you.

11 MICHAEL HAMMER: Thank you. And I have non.
12 Thank you, Mr. Meredith.

13 ROBERT MEREDITH: Thank you.

14 MICHAEL HAMMER: No other witnesses, Ms. Smith?

15 KATHERINE SMITH: No.

16 MICHAEL HAMMER: All right. We'll turn to
17 Mr. Grecu.

18 KATHERINE SMITH: Thanks.

19 MICHAEL HAMMER: Call your first witness.

20 PATRICK GRECU: Thank you. The Commission
21 calls Mr. Gary Smith.

22 MICHAEL HAMMER: Mr. Smith, do you solemnly
23 swear that the testimony you will give in this matter
24 shall be the truth, the whole truth, and nothing but the
25 truth, so help you God?

1 I'm sorry, I think you're muted.

2 GARY SMITH: Sorry. Yes.

3 MICHAEL HAMMER: Thank you. Go ahead.

4 GARY SMITH,

5 called as a witness herein, having been first duly sworn
6 to tell the truth, was examined and testified as follows:

7 EXAMINATION

8 BY PATRICK GRECU:

9 Q. Mr. Smith, could you please state and spell
10 your name for the record.

11 A. Gary Smith, G-a-r-y S-m-i-t-h.

12 Q. And by whom are you employed and what is your
13 position?

14 A. I'm employed by the the Division of Public
15 Utilities, and I'm a technical -- utility technical
16 consultant.

17 Q. And what is your business address?

18 A. It's 160 East 300 South, Salt Lake City, Utah.

19 Q. And could you provide just a brief overview of
20 your educational background and relevant work experience.

21 A. Yes. I've been working for the Division for
22 approximately seven and a half years, eight years. I
23 have a bachelor's of science in economics, and have
24 worked in the finance and regulatory industry for over
25 17 years.

1 Q. And have you participated in this docket on
2 behalf of the Division?

3 A. Yes.

4 Q. Did you review the Company's application,
5 testimonies, exhibits, and work papers filed in this
6 docket?

7 A. Yes.

8 Q. And did you prepare and cause to be filed the
9 Division's comments and DPU Exhibits 1 and 2 that were
10 filed on May 27th, 2025?

11 A. Yes, I did.

12 Q. And do you have any changes or corrections to
13 those filings?

14 A. I do not.

15 Q. And do you adopt the contents of those filings
16 as part of your testimony today?

17 A. Yes, I do.

18 Q. And based on the Division's preliminary review,
19 does the proposed interim rate appear consistent with
20 prior years' filings, and is it more likely to reflect
21 actual power costs than the current pace rails?

22 A. Yes. I will provide more detail in summary.

23 Q. And would approval of the Company's proposed
24 interim rates be just, reasonable, and in the public
25 interest?

1 A. Yes.

2 PATRICK GRECU: At this point I'd like to move
3 to admit the Division's comments and DPU Exhibits 1 and 2
4 that were filed on May 27th, 2025.

5 MICHAEL HAMMER: They're admitted.

6 PATRICK GRECU: Thank you.

7 Q. (By Patrick Grecu) And, Mr. Smith, do you have
8 a summary to share today?

9 A. I do.

10 Q. Please proceed.

11 A. Thank you.

12 Good morning, Judge Hammer. Thank you for the
13 opportunity to address Rocky Mountain Power's or the
14 "Company's" interim rate requests for recovery of its net
15 power costs, or NPC, in advance of the Public Service
16 Commission's final decision on the Company's 2025 energy
17 balancing account, or EBA, filing.

18 On May 1st, 2025, the Company filed its
19 application requesting recovery of approximately
20 471.6 million in deferred NPC for the deferral year 2024,
21 the largest EBA deferral recovery request to date. The
22 Company proposes a 12-month interim collection period
23 commencing July 1st, 2025.

24 The reason for the increased costs include the
25 following: Increased reliance on expensive replacement

1 power for market purchases made at higher average market
2 prices than base resulting in the largest increase in the
3 EBA deferral.

4 Decreased coal plant generation compared to the
5 EBA base or base established in the 2020 general rate
6 case. This decrease in generation was due in part to
7 coal fuel supply issues and the conversion of Jim Bridger
8 units 1 and 2 to natural gas.

9 Underperforming wind plants and unrealized
10 production tax credits, or PTCs.

11 Decreased hydro generation compared to base due
12 in part to the closure of hydro generation facilities
13 closure on the Klamath River.

14 Increased natural gas fuel prices due to higher
15 average prices than assumed in base.

16 And the largest wholesale sales volumes -- the
17 lowest wholesale sale volumes since 2021 due to the lack
18 of available Company plant generation.

19 To evaluate the Company's request for interim
20 rates, the Division of Public Utilities, or "Division,"
21 performed a preliminary review of the Company's
22 application, including the testimonies, exhibits, and
23 proposed revisions to the Electric Service Schedule 94
24 Tariff.

25 The Company's filing included the following

1 inconsistencies with prior years' applications:

2 The inclusion of 51,000 in Electric Service
3 Schedule 60 electric vehicle infrastructure program
4 revenues.

5 A 397,000 correction to the 2023 deferral year
6 PTCs.

7 And the inclusion of 12.4 million of interest
8 expected to accrue through the 12-month rate effective
9 collection period of July 1st, 2025, through June 30th of
10 2026.

11 In its application, the Company did not provide
12 adequate details regarding the calculation of purpose of
13 the 2023 PTC correction adjustment. It also did not
14 provide sufficient information and analysis regarding the
15 inclusion of collection period interest to allow the
16 Division to evaluate the Company's proposed treatment of
17 interest and the resulting impact on the EBA's deferral
18 balance.

19 In the Company's reply comments filed on June
20 5th, 2025, the Company provided a comparative analysis
21 demonstrating an overall reduction of approximately
22 \$1 million in the EBA interest collections with the
23 Company's proposed inclusion of collection period
24 interest in interim rates.

25 The Division recommends allowing the inclusion

1 of collection period interest in the Company's annual EBA
2 filings. The Division continues to request that the
3 Company provide sufficient details -- details and
4 information and calculations to evaluate the proposed
5 requests and adjustments.

6 Although the Company's requested EBA recovery
7 is the largest on record, based on the Division's
8 experience with its -- this balancing account, audits,
9 annual Commission proceedings, and despite the identified
10 inconsistencies, the Division concludes that the
11 Company's requested interim rate increase is more likely
12 to reflect actual net power costs than current base
13 rates.

14 The Division recommends the Commission approve
15 the Company's requested interim rate collection of
16 471.6 million spread across customer rate classes as
17 proposed by the Company, with a collection period of
18 12 months effective July 1st, 2025, through June 30th,
19 2026.

20 The Division will continue to audit the EBA
21 filing and present additional findings and
22 recommendations in its final report.

23 This concludes my summary.

24 PATRICK GRECU: Thank you. The witness is now
25 available for cross-examination or questions from the

1 hearing officer.

2 MICHAEL HAMMER: Ms. Smith?

3 KATHERINE SMITH: No questions.

4 MICHAEL HAMMER: Mr. Russell?

5 PHILLIP RUSSELL: No questions. Thank you.

6 MICHAEL HAMMER: Thank you for your testimony,
7 Mr. Smith.

8 GARY SMITH: Thank you.

9 MICHAEL HAMMER: Any other witnesses,
10 Mr. Grecu?

11 PATRICK GRECU: Nothing further from the
12 Division.

13 MICHAEL HAMMER: And Mr. Russell, you have
14 none?

15 PHILLIP RUSSELL: That's correct. Nothing
16 further.

17 MICHAEL HAMMER: All right. Is there anything
18 else we need to address before we adjourn? All right.

19 Have a wonderful day everyone. We're
20 adjourned.

21 (Proceedings adjourned at 10:17 A.M.)

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REPORTER'S CERTIFICATE

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

I, Sean Sampson, Registered Professional Reporter, do hereby certify:

That the foregoing proceeding was taken down by me in stenotype on June 13, 2025, at the place herein named, and was thereafter transcribed and that a true and correct transcription of said proceeding is set forth in the preceding pages.

I further certify that I am not of kin or otherwise associated with any of the parties of said cause of action and that I am not interested in the event thereof.

WITNESS MY HAND this 7th day of July, 2025.



SEAN SAMPSON, RPR

[& - ahead]

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& 2:19	9:14,19 18:5	5	16:17 19:8
0	18:13	503-686-8377	accrue 18:8
0.1 8:18	2024 8:3,14	2:10	action 21:11
0.2 8:16	10:5 16:20	51,000 18:2	actual 10:5
1	2025 1:3,7 5:4	545 2:20	15:21 19:12
1 8:25 15:9	7:20 8:1,6	5th 2:15 7:20	additional 9:13
16:3 17:8	10:13 15:10	18:20	19:21
18:22	16:4,16,18,23	6	additionally
1.6 8:7	18:9,20 19:18	6 4:4	9:12
10:00 1:8	21:7,12	60 18:3	address 6:22,23
10:17 1:8 20:21	2026 18:10	7	11:24,25 14:17
11 4:6	19:19	7th 21:12	16:13 20:18
12 8:5 16:22	24.2 8:14	8	adequate 18:12
18:8 19:18	24.9 8:11	801-363-6363	adjourn 20:18
12.4 18:7	25-035-01 1:2	2:21	adjourned
13 1:7 21:7	5:6	801-564-7591	20:20,21
14 4:8	27th 15:10 16:4	2:5	adjustment
1407 2:9	3	825 6:23 11:25	8:16 18:13
160 2:4,15	300 2:4,15	84102 2:20	adjustments
14:18	14:18	84111 2:4,15	19:5
17 14:25	30th 18:9 19:18	84116 2:10	admission 7:18
1st 8:1,6 10:13	310 2:9	9	12:22
16:18,23 18:9	33854 21:15	9.2 8:13	admit 16:3
19:18	36.8 8:21	94 8:8 17:23	admitted 7:21
2	385-377-2812	97232 6:24	12:24 16:5
2 8:25 15:9	2:16	12:1	adopt 15:15
16:3 17:8	397,000 18:5	a	advance 16:15
2000 12:1	4	a.m. 1:8,8	advisor 7:1
2020 9:23 17:5	471.6 16:20	20:21	agutah.gov
2021 17:17	19:16		2:16
	472 8:3		ahead 6:3,12
			11:13 14:3

[ajay - comments]

<p>ajay 2:8 5:13 ajay.kumar 2:11 allocates 9:22 allocator 9:22 allow 18:15 allowing 18:25 amount 8:5 amounts 9:22 analysis 9:8 18:14,20 annette 3:3 annual 8:2 19:1 19:9 answers 7:13 12:19 appear 15:19 appearance 5:21 appearances 5:9 appeared 2:6 2:12,17,22 application 1:3 5:4 7:3 8:4,9 9:10,18,24 10:12 12:10 15:4 16:19 17:22 18:11 applications 18:1 approval 1:3 5:4 15:23</p>	<p>approve 9:6 10:12 19:14 approved 9:23 approximately 14:22 16:19 18:21 arrive 10:3 asked 7:12 9:7 12:18 assistant 5:17 associated 21:10 association 2:18 5:23 assumed 17:15 attended 1:10 attorney 2:14 5:18 audit 10:8 19:20 audits 19:8 available 10:20 13:1 17:18 19:25 average 8:7 17:1,15</p> <p style="text-align: center;">b</p> <p>b 11:21 bachelor's 14:23 background 14:20</p>	<p>backlund 3:3 balance 8:17 18:18 balancing 1:4 5:5 16:17 19:8 base 9:22 10:6 17:2,5,5,11,15 19:12 based 15:18 19:7 basis 8:6 beginning 5:9 behalf 5:12 15:2 believe 10:16 brenda 3:4 bridger 17:7 bridgers 8:25 brief 14:19 broadway 2:20 business 6:22 6:23 11:24,25 14:17</p> <p style="text-align: center;">c</p> <p>c 2:1 3:1 4:1 5:1 6:20 calculation 18:12 calculations 9:13 19:4 calendar 8:3 10:4</p>	<p>call 6:5 11:7 13:19 called 6:14 11:15 14:5 calls 6:1 13:21 case 17:6 cause 7:6 12:13 15:8 21:11 certificate 21:1 certified 1:10 certify 21:6,10 change 10:1 changes 7:9 12:15 15:12 city 2:4,10,15 2:20 14:18 classes 9:21 19:16 closure 17:12 17:13 coal 8:23,25 17:4,7 collection 8:22 9:10,18 16:22 18:9,15,23 19:1,15,17 collections 18:22 commencing 16:23 comments 7:4 7:20 9:5,19 12:11 15:9 16:3 18:19</p>
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[commission - eba]

<p>commission 1:1 2:2,3 5:5 9:6 9:23 10:9,11 13:20 19:9,14 commission's 5:8 16:16 company 5:13 6:25 8:4 9:7,13 9:16 10:4,7 11:6 12:6 16:18,22 17:18 18:11,20 19:3 19:17 company's 9:1 9:6,20 15:4,23 16:14,16 17:19 17:21,25 18:16 18:19,23 19:1 19:6,11,15 comparative 9:7 18:20 compared 9:10 17:4,11 components 8:10 concludes 19:10,23 confidential 7:19 12:23 consistent 9:21 10:1 15:19 constraints 8:24</p>	<p>consultant 14:16 cont'd 3:1 contents 15:15 continue 19:20 continues 19:2 contract 8:12 conversion 8:25 17:7 correct 20:15 21:8 correction 18:5 18:13 corrections 7:9 12:15 15:12 cost 7:1 9:17 10:3 costs 8:3,10,13 9:21 10:5,6 15:21 16:15,24 19:12 counsel 5:13 county 21:4 court 1:10 credit 8:11,14 8:18,20 credits 8:20 17:10 cross 10:20 13:2 19:25 current 10:6 15:21 19:12 customer 8:12 9:17,21 19:16</p>	<p>d d 5:1 11:22 date 8:6 10:13 16:21 day 20:19 21:12 decision 16:16 decommissio... 9:1 decrease 17:6 decreased 17:4 17:11 deferral 16:20 16:21 17:3 18:5,17 deferred 9:21 16:20 demonstrating 9:8 18:21 described 9:3 9:23 designated 5:8 despite 19:9 detail 9:3 15:22 details 9:13 18:12 19:3,3 determined 10:4 direct 7:6,18 9:4,24 12:13 12:22 director 12:7</p>	<p>division 2:13 5:15 10:8 14:14,21 15:2 17:20,20 18:16 18:25 19:2,10 19:14,20 20:12 division's 5:18 15:9,18 16:3 19:7 docket 1:2 5:5 15:1,6 dodge 2:19 doug 3:5 dpu 5:18 9:5,12 15:9 16:3 driven 8:23 due 17:6,11,14 17:17 duly 6:14 11:15 14:5</p> <hr/> <p>e</p> <hr/> <p>e 2:1,1 3:1,1 4:1 5:1,1 6:20 11:21,22,22 east 2:4,15,20 14:18 eba 8:2,7,10,15 8:17,23 9:11 9:21,22,22 10:3,5 16:17 16:21 17:3,5 18:22 19:1,6 19:20</p>
---	---	--	--

[eba's - impacts]

<p>eba's 18:17 economics 14:23 educational 14:20 effective 8:6 10:13 18:8 19:18 eight 8:9 14:22 electric 8:19 17:23 18:2,3 employed 6:21 11:23 14:12,14 energy 1:3 2:18 5:5,23 16:16 enter 5:21 es 4:2 esq 2:3,8,8,14 2:19 established 17:5 evaluate 17:19 18:16 19:4 evaluation 10:9 event 9:3 21:11 evip 8:19 examination 4:4,6,8 6:16 10:20 11:17 13:2 14:7 19:25 examined 6:15 11:16 14:6</p>	<p>exhibits 12:23 15:5,9 16:3 17:22 expected 18:8 expensive 16:25 experience 14:20 19:8 explanations 9:16 extreme 9:3</p> <p style="text-align: center;">f</p> <p>facilities 9:2 17:12 filed 7:6,20 8:2 9:4,5 12:13 15:5,8,10 16:4 16:18 18:19 filing 9:11 10:2 16:17 17:25 19:21 filings 15:13,15 15:20 19:2 final 16:16 19:22 finance 14:24 findings 19:21 first 6:2,5,14 11:15 13:19 14:5 floor 2:15 following 16:25 17:25</p>	<p>follows 6:15 11:16 14:6 foregoing 21:7 forth 7:13 21:8 fuel 8:23 17:7 17:14 further 20:11 20:16 21:10 future 9:10 10:8</p> <p style="text-align: center;">g</p> <p>g 5:1 14:11 gary 4:7 5:19 13:21 14:2,4 14:11 20:8 gas 8:24 9:1 17:8,14 general 5:18 17:5 general's 2:14 generating 9:2 generation 17:4,6,11,12,18 give 6:8 11:9 13:23 go 6:3,12 11:13 14:3 god 6:10 11:11 13:25 good 5:2,22 8:1 16:12 grc 9:23</p>	<p>greco 2:14 4:8 5:17,17 10:22 10:23 13:3,4 13:17,20 14:8 16:2,6,7 19:24 20:10,11</p> <p style="text-align: center;">h</p> <p>h 11:22 14:11 half 14:22 hammer 2:3 5:2,7,15,20,25 6:7,12 7:21 8:1 10:16,22,24 11:1,4,8,13 12:24 13:3,5,8 13:11,14,16,19 13:22 14:3 16:5,12 20:2,4 20:6,9,13,17 hand 21:12 hearing 5:3,24 10:9 20:1 help 6:10 11:11 13:25 hi 5:11 higher 17:1,14 hydro 9:1 17:11,12</p> <p style="text-align: center;">i</p> <p>identified 19:9 impact 18:17 impacts 9:8</p>
---	--	--	---

[include - n]

<p>include 9:9 16:24 included 17:25 includes 8:9,21 including 9:17 17:22 inclusion 18:2 18:7,15,23,25 inconsistencies 18:1 19:10 increase 8:8,23 17:2 19:11 increased 16:24,25 17:14 industry 14:24 information 18:14 19:4 infrastructure 8:19 18:3 interest 8:21,22 9:9,18 15:25 18:7,15,17,22 18:24 19:1 interested 21:11 interim 5:3 8:6 10:7,12 15:19 15:24 16:14,22 17:19 18:24 19:11,15 issues 17:7</p>	<p>j j 2:19 6:20 jack 4:3 5:14 6:5,11,13,20 11:3 james 2:19 jdrslaw.com 2:21 jim 8:25 17:7 judge 8:1 16:12 july 8:6 10:13 16:23 18:9 19:18 21:12 june 1:7 7:20 18:9,19 19:18 21:7</p>	<p>l lack 17:17 lake 2:4,10,15 2:20 14:18 21:4 largest 16:21 17:2,16 19:7 likely 10:5 15:20 19:11 line 5:20 lower 9:17 lowest 17:17</p>	<p>6:7,12 7:21 10:16,22,24 11:1,4,8,13 12:24 13:3,5,8 13:11,14,16,19 13:22 14:3 16:5 20:2,4,6,9 20:13,17 michaelham... 2:5 million 8:3,10 8:11,13,14,16 8:18,21 16:20 18:7,22 19:16 month 8:5 16:22 18:8 months 19:18 morning 5:2,19 5:22 8:1 16:12 mountain 1:2 2:7,9 5:4,9,12 6:4 7:19 8:2 16:13 move 7:18 12:22 16:2 multnomah 6:24 12:1 mute 10:16 muted 14:1</p>			
				<p>k k 6:20 katherine 2:8 4:4,6 5:11,11 6:4,17 7:17,22 7:23 10:18 11:6,18 12:21 12:25 13:15,18 20:3 katherine.smith 2:11 kelley 3:4 kin 21:10 klamath 9:2 17:13 kumar 2:8 5:13</p>	<p>m m 11:22 14:11 made 8:11 17:1 main 8:10 market 8:24 17:1,1 matter 6:8 11:9 13:23 matters 6:1 max 3:3 meredith 4:5 5:14 9:25 11:7 11:8,12,14,19 11:21,22 12:25 13:12,13 meredith's 12:22 methodologies 10:3,4 michael 2:3 5:2 5:7,15,20,25</p>	<p>n n 2:1 3:1 4:1,1 5:1 6:20</p>

[name - provide]

<p>name 5:7 6:19 11:20,21 14:10 named 21:8 natural 8:24 9:1 17:8,14 need 20:18 net 7:1 16:14 19:12 non 13:11 north 2:9 northeast 6:24 12:1 noticed 5:3 10:18 npc 16:15,20</p>	<p>overview 14:19</p> <p style="text-align: center;">p</p> <p>p 1:9 2:1,1 3:1 3:1 5:1 6:20 p.c. 2:19 pace 15:21 pacific 12:8 pacificorp 6:23 11:25 pacificorp.com 2:11,11 page 4:2 pages 21:9 painter 4:3 5:14 6:6,7,11 6:13,18,20 7:23 10:20 11:2,3 painter's 7:18 paper 7:19 papers 9:16 15:5 part 15:16 17:6 17:12 participated 15:1 parties 5:20 10:10 21:10 patrick 2:14 4:8 5:17,17 10:23 13:4,20 14:8 16:2,6,7 19:24 20:11</p>	<p>percent 8:7 performed 17:21 period 8:5,22 9:10,18 16:22 18:9,15,23 19:1,17 pgrecu 2:16 phillip 2:19 5:22,23 10:25 13:7,9 20:5,15 place 21:7 plant 17:4,18 plants 17:9 please 5:9 6:12 6:18 7:24 11:19 14:9 16:10 point 16:2 portland 6:24 12:1,2 position 7:2,24 12:7,9 14:13 power 2:7,9 5:10,12 6:5 7:1 8:2,24 10:6 12:8 15:21 16:15 17:1 19:12 power's 5:4 7:20 16:13 power's 1:2 pre 9:4</p>	<p>preceding 21:9 preliminary 6:1 15:18 17:21 prepare 15:8 present 3:2 19:21 presiding 2:2 5:8 prices 8:24 17:2,14,15 prior 10:2 15:20 18:1 proceed 16:10 proceeding 7:4 7:7 9:5 21:7,8 proceedings 12:11 19:9 20:21 production 8:20 17:10 professional 21:5 program 8:19 18:3 proposal 9:9,20 proposed 8:4 10:1 15:19,23 17:23 18:16,23 19:4,17 proposes 16:22 provide 7:24 9:7,13 14:19 15:22 18:11,14</p>
o			
<p>o 4:1 5:1 11:21 o'connor 3:4 office 2:14 officer 2:2 5:8 20:1 oh 13:8 okay 12:4,5,21 oooo 3:6 4:10 opportunity 7:2 12:10 16:13 order 8:15 oregon 6:24 12:2,2 orton 3:3 overall 8:7 9:17 18:21</p>			

[provide - sean]

<p>19:3 provided 9:16 18:20 prussell 2:21 ptc 9:14,19 18:13 ptcs 17:10 18:6 public 1:1 2:2,3 2:13 5:15 10:8 14:14 15:24 16:15 17:20 purchases 17:1 purpose 18:12</p>	<p>rather 9:15 reason 16:24 reasonable 15:24 rebuttal 9:8,14 9:15 recommendat... 19:22 recommending 9:6 recommends 9:12 18:25 19:14 record 6:19 11:20 14:10 19:7 recover 8:2,5 recovery 16:14 16:19,21 19:6 reduction 18:21 reflect 8:14,16 10:5 15:20 19:12 refund 10:14 regarding 18:12,14 registered 21:5 regulation 12:7 regulatory 14:24 related 8:10 relevant 7:3 12:10 14:20</p>	<p>reliance 16:25 remaining 8:17 replacement 16:25 reply 7:20 9:19 18:19 report 19:22 reporter 1:9,10 21:6 reporter's 21:1 representing 5:18 request 8:9 9:7 10:11 16:21 17:19 19:2 requested 10:7 19:6,11,15 requesting 16:19 requests 16:14 19:5 resources 8:13 respectfully 10:11 resulting 17:2 18:17 results 8:7 revenue 8:18 revenues 18:4 review 7:3 12:10 15:4,18 17:21 revisions 17:23</p>	<p>right 5:25 6:3 12:7 13:16 20:17,18 river 9:2 17:13 robert 4:5 5:14 9:24 11:7,12 11:14,21 13:13 rocky 1:2 2:7,9 5:3,9,12 6:4 7:19 8:2 16:13 role 6:25 12:5 rpr 1:9 21:16 russell 2:19,19 5:22,23 10:24 10:25 13:5,7,9 20:4,5,13,15</p>
q			s
<p>questions 7:12 10:21,23,25 12:18 13:2,4,6 13:10 19:25 20:3,5</p>			<p>s 2:1 3:1 4:1 5:1 14:11 sale 17:17 sales 8:11 17:16 salt 2:4,10,15 2:20 14:18 21:4 salter 3:4 sampson 1:9 21:5,16 schedule 8:8 17:23 18:3 science 14:23 sean 1:9 21:5 21:16</p>
r			
<p>r 2:1 3:1 5:1 6:20 11:21,21 11:22 14:11 rails 15:21 rate 8:7,23 10:1 10:13 15:19 16:14 17:5 18:8 19:11,15 19:16 rates 5:3 10:6,7 10:12 15:24 17:20 18:24 19:13</p>			

[service - utilities]

<p>service 1:1 2:2 2:3 16:15 17:23 18:2 set 7:13 21:8 seven 14:22 share 16:8 signature 21:15 similar 10:2 situs 8:13 smith 2:8 4:4,6 4:7 5:11,11,19 6:1,3,4,17 7:17 7:22,23 10:17 10:18 11:4,6 11:18 12:21,25 13:14,15,18,21 13:22 14:2,4,9 14:11 16:7 20:2,3,7,8 solemnly 6:7 11:8 13:22 soon 10:19 sorry 10:18 12:4 13:9 14:1 14:2 south 2:4,15 14:18 speaking 10:19 special 8:12 spell 6:18 11:19 14:9 spelled 11:22 spread 9:20 19:16</p>	<p>ss 21:3 started 10:19 state 1:10 6:18 11:19 14:9 21:2 stenotype 21:7 stephens 2:19 street 6:24 12:1 subject 10:8,13 substantially 10:2 sufficient 18:14 19:3 suite 2:9 12:1 summary 7:24 13:1 15:22 16:8 19:23 supply 8:24 17:7 support 9:17 surcharge 10:14 swear 6:8 11:9 13:23 sworn 6:14 11:15 14:5</p>	<p>tax 8:20 17:10 technical 14:15 14:15 tell 6:15 11:16 14:6 temple 2:9 testified 6:15 11:16 14:6 testimonies 15:5 17:22 testimony 6:8 7:3,6,10,13,18 9:4,8,14,15,24 11:9 12:11,13 12:16,19,22 13:23 15:16 20:6 thank 5:25 6:4 6:12 7:16,22 10:15,25 11:1 11:3,13 12:25 13:4,10,11,12 13:13,20 14:3 16:6,11,12 19:24 20:5,6,8 thanks 13:18 thereof 21:11 think 14:1 time 7:17 10:21 12:21 today 5:12 7:12 13:1 15:16 16:8</p>	<p>total 10:3 transcribed 21:8 transcription 21:8 treatment 18:16 true 21:8 truth 6:9,9,10 6:15 11:10,10 11:11,16 13:24 13:24,25 14:6 turn 13:16 two 12:23</p>
			u
			<p>underperfor... 17:9 units 8:25 17:8 unrealized 17:9 update 9:14,19 users 2:18 5:24 uses 10:2 using 10:3 ut 2:4,10,15,20 utah 1:1,10 2:2 2:3,14,18 5:23 8:13 14:18 21:2 utah.gov 2:5 utilities 2:13 5:16 10:9 14:15 17:20</p>
	t		
	<p>t 4:1,1 6:20 11:21,22 14:11 take 13:5 taken 21:7 tariff 17:24</p>		

[utility - years]

utility 14:15	y
v	y 14:11
vehicle 8:19 18:3	yeah 12:4,4 13:7
video 1:10 2:6 2:12,17,22	year 8:3 10:5 16:20 18:5
virtual 5:3	year's 10:2
volumes 17:16 17:17	years 14:22,22 14:25 15:20 18:1
w	
waiting 9:15	
weather 9:3	
west 2:9	
wheelright 3:5	
wholesale 17:16,17	
wind 17:9	
witness 4:2 5:19,24 6:2,5 6:14 11:5,15 13:19 14:5 19:24 21:12	
witnesses 5:13 13:14 20:9	
wonderful 20:19	
work 7:19 9:16 14:20 15:5	
worked 14:24	
working 14:21	

Utah Rules of Civil Procedure
Part V. Depositions and Discovery

Rule 30

(E) Submission to Witness; Changes; Signing.

Within 28 days after being notified by the officer that the transcript or recording is available, a witness may sign a statement of changes to the form or substance of the transcript or recording and the reasons for the changes. The officer shall append any changes timely made by the witness.

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