

1 **UTAH PUBLIC SERVICE COMMISSION**
2 **SETTLEMENT STIPULATION HEARING**
3 **DOCKET NO. 25-035-55**
4 **MARCH 31, 2026**
5
6

7 Jerry Fenn: [0:11] Good morning, everyone. Welcome to another day in paradise.
8 Always great to see everybody. It's the usual cast of characters. Today,
9 we're here on a settlement stipulation that we will begin to discuss
10 here in a moment. This is in Docket 25-035-55 in the matter of the
11 application of Rocky Mountain Power for approval of a waiver of the
12 requirement for solicitation process and of a significant energy
13 resource decision and report of sale. There's an awful lot of
14 confidential information in both the testimony and in the application.
15 If you feel like you need to close the meeting so that we can have the
16 confidential information preserved and not disclosed to the public,
17 you'll just have to notify me and we'll go through the process of doing
18 that. So let's begin by taking appearances for the record. We'll start
19 with Rocky Mountain Power.
20
21 Tiffanie Ellis-Burke: [1:27] Good morning, commissioner. Tiffanie Ellis-Burke on behalf of
22 Rocky Mountain Power with my colleague, Katherine Smith.
23
24 Jerry Fenn: [1:35] Welcome, Ms. Burke and Ms. Smith. Okay, let's go to the
25 Division.
26
27 Patrick Grecu: [1:41] Good morning. Patrick Grecu, Assistant Attorney General, and
28 Assistant Attorney General Patricia Schmid on behalf of the Division.
29
30 Jerry Fenn: [1:49] Ms. Schmid is sitting in the back. I assume that means she's not
31 planning on participating maybe.
32
33 Patrick Grecu: [1:56] She can throw stuff at me.
34
35 Jerry Fenn: [1:57] Yeah. Okay, that's good. All right, that's good, all right. From
36 the Office.
37
38 Robert Moore: [2:02] Robert Moore of the Attorney General's Office representing the
39 Office of Consumer Services.
40
41 Jerry Fenn: [2:07] Okay. Let's go to the intervenors; first, Ms. Hayes.
42
43 Sophie Hayes: [2:11] Good morning. Sophie Hayes on behalf of Western Resource
44 Advocates.
45
46 Jerry Fenn: [2:16] Okay.

1
2 Phillip Russell: [2:17] Good morning. Phil Russell on behalf of the Utah Association
3 of Energy Users.
4
5 Jerry Fenn: [2:21] Okay. Ms. King?
6
7 Michelle King: [2:22] Good morning. Michelle King of the law firm Holland & Hart
8 here on behalf of the Utah Large Customer Group.
9
10 Jerry Fenn: [2:28] Thank you very much. I don't think there's anybody else who
11 would be joining us. That's everybody. [2:34] We did excuse, who
12 was it, Melissa?
13
14 Melissa: [2:37] Utah Clean Energy.
15
16 Jerry Fenn: [2:38] Yeah, Utah Clean Energy. We granted a motion last night to
17 excuse them from the proceeding. I guess they have their concerns
18 resolved. We also granted a motion to have Mr. Williams appear
19 remotely. I'm going to just say we have a little bit of a technological
20 issue today. Our sound we'll be able to hear Mr. Williams just fine but
21 we can't link it up with the video today, so you can't judge his
22 demeanor by looking at him. I don't think that's going to be an issue
23 today, so we'll be fine. Okay. [3:19] So as I mentioned, we're here on
24 a settlement stipulation that, I'll just ask if this is correct off the bat,
25 that the Division and the Office have entered into with Rocky
26 Mountain Power and that the intervenors have indicated they have no
27 objection to, is that correct?
28
29 Sophie Hayes: [3:41] Western Resource Advocates supported the stipulation.
30
31 Jerry Fenn: [3:43] Okay. And I see nobody saying anything to the contrary. Okay,
32 let's turn to Ms. Burke and you can call a witness to summarize the
33 stipulation if you'd like.
34
35 Tiffanie Ellis-Burke: [4:00] Wonderful. If Mr. Dan MacNeil will come forward.
36
37 Jerry Fenn: [4:05] Mr. MacNeil, welcome. [4:09] Will you raise your right arm to
38 the swear? [4:11] Do you solemnly swear the testimony you're about
39 to give in this matter pending before the Public Service Commission of
40 the state of Utah shall be the truth, the whole truth, and nothing but the
41 truth, so help you God?
42
43 Daniel MacNeil: [4:20] I do.
44
45 Jerry Fenn: [4:20] Thank you. Please, be seated.
46

1 Tiffanie Ellis-Burke: [4:27] Good morning, Mr. MacNeil.
2
3 Daniel MacNeil: [4:28] Good morning.
4
5 Tiffanie Ellis-Burke: [4:30] At the outset I'd just to like to say we do have the confidential
6 slides from the technical conference if, copies of those, if anybody
7 ends up finding that helpful.
8
9 Jerry Fenn: [4:40] Yeah. We have them up here, at least I have them and I suppose
10 we've got access to them. [4:45] If other commissioners – does
11 anybody need a copy of the slides today? I'm sure you all reviewed it
12 in preparation for the hearing, so, okay, all right. [phone ringing] I
13 apologize. That would get me fired if I was a law clerk back in the
14 days.
15
16 Male: [5:01] If you weren't chair.
17
18 Female: [5:03] There were no phones [inaudible 5:05] law clerks.
19
20 Jerry Fenn: [5:06] That's right. Well, yeah. When I was a judicial clerk, if I had
21 done that in a courtroom, I would be in big trouble. But since...
22
23 Female: [5:14] Okay.
24
25 Jerry Fenn: [5:14] ...I can only rebuke myself here, consider myself rebuked.
26 Okay.
27
28 Female: [5:19] Okay.
29
30 Jerry Fenn: [5:19] Right now, I've taken care of the problem. All right, okay. Mr.
31 MacNeil, please, Ms. Burke.
32
33 Tiffanie Ellis-Burke: [5:27] So please say...
34
35 Robert Moore: [5:28] Excuse me. [phone ringing] Do you want to swear Mr. MacNeil
36 in?
37
38 Jerry Fenn: [5:31] Yes, I do but I got messed up here because of my phone, so.
39
40 Melissa: [5:36] You did the swear.
41
42 Jerry Fenn: [5:37] Thank you, Mr. Moore. Okay. Thank you for that reminder. I
43 did...
44
45 Melissa: [5:45] You did.
46

1 Jerry Fenn: [5:46] ...swear him in.
2
3 Robert Moore: [5:46] Did you swear him in? [5:47] Did I miss it? I apologize.
4
5 Jerry Fenn: [5:49] Okay. Well, both of us were apparently losing our mind for just
6 a second there 'cause I forgot that I had done it. All right, we're good.
7 We're all ready to go. Okay.
8
9 Tiffanie Ellis-Burke: [5:59] All right, wonderful. Good morning, Mr. MacNeil. [6:02] Could
10 you please say and spell your full name for the record?
11
12 Daniel MacNeil: [6:05] Daniel MacNeil, D-A-N-I-E-L MacNeil, M-A-C-capital N-E-I-
13 L.
14
15 Tiffanie Ellis-Burke: [6:15] And are you the Mr. MacNeil who caused rebuttal testimony to
16 be filed in this proceeding?
17
18 Daniel MacNeil: [6:19] I am.
19
20 Tiffanie Ellis-Burke: [6:20] And are you also the same Mr. MacNeil who adopted the
21 testimony of Mr. Rick Link in this proceeding?
22
23 Daniel MacNeil: [6:27] Yes.
24
25 Tiffanie Ellis-Burke: [6:27] And if I were to ask you the same questions from those
26 testimonies again today, would your answers remain the same?
27
28 Daniel MacNeil: [6:33] Yes.
29
30 Tiffanie Ellis-Burke: [6:35] At this time, I'd like to move for admission of the Company's
31 application, Mr. Link's direct testimony, Mr. MacNeil's surrebuttal
32 testimony, all exhibits and attachments thereto, as well as the technical
33 conference confidential slides and the settlement stipulation.
34
35 Jerry Fenn: [6:51] Okay. [6:53] Is there any objection to the admission of all of
36 those pieces of testimony, slides, and exhibits? Okay. We'll admit
37 them. Thank you.
38
39 Tiffanie Ellis-Burke: [7:04] Wonderful. Please provide your summary and then the witness
40 is open for cross.
41
42 Daniel MacNeil: [7:11] Good morning, Chairman Fenn, Commissioner Clark,
43 Commissioner Harvey. PacifiCorp is seeking approval of its power
44 purchase agreement for nuclear energy from TerraPower's Natrium
45 commercial demonstration plant named Kemmerer Unit 1. This is a
46 345 megawatt sodium-cooled fast reactor being constructed near the

1 PacifiCorp's existing Naughton generation plant in Kemmerer,
2 Wyoming. It'll be coupled with a molten salt storage system, allowing
3 for flexible operation from 100 to 500 megawatts for up to 5½ hours.
4 We have several requests today. We listed them before. But because of
5 its size, this is a significant energy resource, it requires approval.
6 Because this is unique, we did not run a request-for-proposals process
7 to identify resources. We've been negotiating with Kemmerer for the
8 Kemmerer Unit 1 project for several years. It's first of a kind and
9 we're seeking a waiver of the solicitation process requirements
10 because of all that. In conjunction with the agreement, we will also be
11 using water from the Naughton facilities for Kemmerer Unit 1 and so
12 there's a transfer there that also has to be reported and identified and
13 approved. For those 3 things, we've reached a settlement agreement
14 with key parties in this proceeding, signifying that these are in the
15 public interest and should be approved. Other parties have confirmed
16 they do not oppose. Commission approval is a key step in allowing
17 this power purchase agreement to become effective. It's one of the
18 requirements under the Department of Energy Advanced Reactor
19 Demonstration project award that's being used to help fund
20 construction of Kemmerer Unit 1 and the demonstration of the nature
21 and technology.

22
23 Many elements of this power purchase agreement and our analysis are
24 confidential. It can be difficult to talk about those things in a non-
25 confidential way. Just the name of a section in the contract can provide
26 sensitive details, so I often refer to these as risk mitigation elements or
27 innovative contract pricing, fairly generic but that is what it is. For
28 those with access to confidential information, the agreement itself is
29 attached to the direct testimony. There's a bunch of different sections
30 that have risk mitigation in them but indemnification, force majeure,
31 claims, things like that, important, kind of standard for a contract to
32 have those but they're unique in the way they're developed here. I
33 would particularly highlight Exhibit K has the contract price and
34 Section 6.7.4 including some detail that you'd have to look up in the
35 defined terms in Section 1.1 has details on how performance would be
36 accounted for financially based on the product output. The language in
37 that contract, difficult to unpack, you have to reference different
38 sections back and forth to get all defined terms. Our presentation,
39 which was just entered in the record at the confidential technical
40 conference in this docket, had examples and visuals to illustrate some
41 of the key concepts and results from our analysis. This information is
42 confidential, including much of the overarching concepts and not just
43 the numbers because the risk mitigation measures in the contract are
44 methodology and not a dollar amount.
45

1 Other risk mitigation strategies for this project include the surplus
2 interconnection where we are sharing interconnection with the
3 Naughton plant. This eliminates the need for upgrades to
4 accommodate additional resources on the transmission system, which
5 could be expensive or result in delays. Because we intend to keep the
6 Naughton units available to ensure system reliability, we will not be
7 reliant on Kemmerer Unit 1 for either capacity or reliability needs.
8 While the contract contemplates that Kemmerer Unit 1 will achieve
9 commercial operation in the fall of 2031, PacifiCorp recognizes first-
10 of-a-kind technologies, and nuclear in particular, face significant risks
11 of delay. The contract could potentially be terminated without ever
12 achieving commercial operation. It could achieve commercial
13 operation with restricted output and less dispatch flexibility than was
14 anticipated. The innovative pricing structure addresses the costs
15 customers will pay under any of these conditions and – but it remains
16 PacifiCorp’s obligation to secure a portfolio of resources that balances
17 the costs and the risks of the service provided to customers. If
18 Kemmerer Unit 1 reaches commercial operation as expected, it will be
19 a cost-effective resource that enhances our portfolio and contributes to
20 long-term savings. In that case, if we go out and procure other
21 alternatives, they will be worth less if we have energy from Kemmerer
22 Unit 1 available but we are not precluded from procuring other long-
23 term resources to provide extra benefits if Kemmerer Unit 1 is delayed
24 or cancelled.

25
26 Against the backdrop of the future uncertainties that PacifiCorp faces,
27 the status of Kemmerer Unit 1 is a relatively small factor. We have
28 many large coal and gas-fired units that periodically experience
29 unplanned outages and may be unavailable for periods ranging from
30 hours to days. While the uncertainty with Kemmerer Unit 1 is higher
31 than any of our adjacent units at this point, we actively manage our
32 fleet, fuel supply, and our market position in response to those large
33 units being available or not. Over the longer term, changes in natural
34 gas prices and load, both on PacifiCorp’s system and across the west,
35 can dramatically change our requirements both up and down. Changes
36 in federal tax policy, environmental compliance, have flipped over our
37 portfolio again and again and our expectations of what the future will
38 bring. As a result, the eventual status of Kemmerer Unit 1 is just one
39 factor among many that will be impacting our long-term resource
40 decisions, so we will continue to monitor development of Kemmerer
41 Unit 1.

42
43 Given the strong backing of TerraPower, favorable state and local
44 interest, the permitting [and siting 14:10] progress that’s been made to
45 date, and PacifiCorp’s role in providing a surplus interconnection as an
46 off-taker, it’s reasonable to anticipate Kemmerer Unit 1 success. That

1 said, we will continue to evaluate other long-term resource options. As
2 with any long-term resource decision, the goal is to identify resources
3 which are economic under a range of possible future conditions of
4 which the projected status of Kemmerer Unit 1 is one variable.
5 Resources with greater value in the absence of Kemmerer Unit 1 are
6 also likely to provide greater value as a result of load growth,
7 increased market prices, or restrictions on the dispatch of natural gas
8 or coal-fired resources. The key question is whether these possible
9 upsides outweigh the incremental costs of that resource under expected
10 or less favorable conditions. The consideration of those type of factors
11 will be one element in PacifiCorp's future Significant Energy
12 Resource filings and similar applications. That concludes my
13 summary.
14
15 Jerry Fenn: [15:11] Thank you. Appreciate it.
16
17 Tiffanie Ellis-Burke: [15:17] Mr. MacNeil is now open for cross.
18
19 Jerry Fenn: [15:20] Okay. Let's see what cross-examination we have. [15:22] Mr.
20 Grecu?
21
22 Patrick Grecu: [15:24] No questions. Thank you.
23
24 Jerry Fenn: [15:25] Mr. Moore?
25
26 Robert Moore: [15:26] No questions. Thank you.
27
28 Jerry Fenn: [15:27] Ms. Hayes?
29
30 Sophie Hayes: [15:29] No questions. Thank you.
31
32 Jerry Fenn: [15:30] Mr. Russell?
33
34 Phillip Russell: [15:31] No questions.
35
36 Jerry Fenn: [15:32] Ms. King?
37
38 Michelle King: [15:33] No questions.
39
40 Jerry Fenn: [15:34] All right. Thank you very much. Let's turn to the Commission.
41 Let's go first of all to Commissioner Harvey.
42
43 John Harvey: [15:40] Good morning.
44
45 Daniel MacNeil: [15:41] Good morning.
46

1 John Harvey: [15:42] Just a few questions. [15:44] In your summary, you mentioned
2 that there would be water rights that PacifiCorp is transferring from its
3 current power plant there, the Naughton to the Kemmerer, is that
4 correct?
5

6 Daniel MacNeil: [15:58] It's really more a transfer of the actual water. We're retaining
7 the actual rights.
8

9 John Harvey: [16:04] Okay.
10

11 Daniel MacNeil: [16:04] But they get to use the water.
12

13 John Harvey: [16:06] Okay. I misunderstood. Thank you for that clarification. When
14 I looked through the stipulation, I didn't see anything in there about
15 the water. [16:20] Can I assume that...?
16

17 Daniel MacNeil: [16:22] I believe in the first paragraph, the first main paragraph,
18 there's 3 sub-bullets and the third one is a fairly obliquely worded: We
19 have met the provisions of reporting on a utility sale. And this is sort
20 of a sale because the transfer of utility assets.
21

22 John Harvey: [16:45] Okay. So that's the part of the stipulation that PacifiCorp feels
23 covers the water use transfer.
24

25 Daniel MacNeil: [16:51] Yeah.
26

27 John Harvey: [16:51] Okay. Thank you. [16:53] Then a question about, this is way
28 down the road but assuming that Kemmerer achieves commercial
29 operation and that everything comes into force, you had mentioned
30 you wouldn't be relying on it for capacity because you were sharing
31 the transmission rights with the current Naughton plant, is that...?
32

33 Daniel MacNeil: [17:17] Yes.
34

35 John Harvey: [17:17] Am I understanding that? Okay. [17:20] So will that involve
36 then that the nuclear plant will have to ramp up and down so that you
37 can use that Naughton asset when you need it?
38

39 Daniel MacNeil: [17:31] No. They have priority access to that interconnection. And if
40 they are outputting power at any given moment, Naughton will have
41 moved out of the way based on the way that that's worked out through
42 the contract. There's scheduling and things taken into account but
43 those electrons from Naughton can still be produced if needed and so
44 there's the opportunity to generate the maximum output of Naughton.
45 Whether that comes from Kemmerer Unit 1 or from Naughton itself,
46 we still have that opportunity.

1
2 John Harvey: [18:10] Okay. [18:10] But the Kemmerer Unit 1 would take – would
3 fill up the first bit that it's capable and then the Naughton would fill
4 the rest of the need?
5
6 Daniel MacNeil: [18:20] Yeah.
7
8 John Harvey: [18:21] Okay. Thank you. And then just a question about the very long
9 term, based on the technical conference and reading the material, it
10 seems to me that PacifiCorp has a I guess I'd characterize it as a pretty
11 good deal in terms of the price guarantees and all those things that I'd
12 definitely be yelled at if say any more than that. [18:47] But how likely
13 is it that this current form survives long term versus the need to
14 renegotiate or has that been...?
15
16 Daniel MacNeil: [18:58] I could confidentially tell you confidently. Otherwise, lots of
17 things can change over time. The way that this deal is structured is
18 really for a first-of-a-kind resource without capacity. If we did go
19 through and expand the transmission rights and do a bunch of other
20 things, we could get capacity from a proven resource. So there are
21 certainly opportunities in the future to modify what this is and does.
22 Once we get a few years in, we will continue to look at it for sure.
23
24 John Harvey: [19:34] And if I step on any boundaries I shouldn't, tell me, either
25 counsel or whatever. [19:40] But is there an opportunity for
26 TerraPower to require a renegotiation or are they locked into this as
27 long as PacifiCorp is fine with the terms?
28
29 Daniel MacNeil: [19:58] I could point to specific language. It would be confidential.
30
31 John Harvey: [20:04] Well, I just...
32
33 Daniel MacNeil: [20:06] Why don't we go with yes.
34
35 John Harvey: [20:06] I don't want specific language. Yeah. Okay. That's fine, all
36 right. That's all the questions I have. Thank you.
37
38 Jerry Fenn: [20:14] Commissioner Clark?
39
40 David Clark: [20:17] I don't have any questions but I do want to commend the
41 parties for finding a way to protect customers and also facilitate the
42 demonstration of this what we all hope to be very promising
43 technology, so thank you Mr. MacNeil for being here today.
44
45 Daniel MacNeil: [20:42] Thank you.
46

1 Jerry Fenn: [20:46] Yeah. And I think I want to say something about that as well.
2 [20:54] My understanding is, Mr. MacNeil, you filed your rebuttal
3 testimony to try to address some of the questions that the Division had,
4 is that correct? Part of..
5
6 Daniel MacNeil: [21:09] Yes.
7
8 Jerry Fenn: [21:09] ...your testimony addressed that. And then following that, you
9 were able to reach the settlement with the Division and the Office.
10
11 Daniel MacNeil: [21:16] Yes. And I don't know that I necessarily answered all their
12 questions so much as I talked about we don't know the future, the
13 future will change, and we're going to have to be ready but we are
14 ready to adapt as need be.
15
16 Jerry Fenn: [21:31] And Ms. Hayes, you signed off on the stipulation too, didn't
17 you?
18
19 Sophie Hayes: [21:35] Yes.
20
21 Jerry Fenn: [21:35] Okay.
22
23 Sophie Hayes: [21:35] Thank you.
24
25 Jerry Fenn: [21:36] Okay. [21:40] And without disclosing the information under
26 Risk Management and Safety on Page 13 and 14 of the confidential
27 portion of the application, is it your view that substantial assurances
28 were given that resulted in this stipulation?
29
30 Daniel MacNeil: [22:08] Yes. I think it's not just that; cost is absolutely paramount as
31 well.
32
33 Jerry Fenn: [22:15] But it's a big part of it, I assume.
34
35 Daniel MacNeil: [22:16] Yeah. None of the pieces would stand without all of the pieces.
36
37 Jerry Fenn: [22:21] Sure. It's a sum of the parts.
38
39 Daniel MacNeil: [22:24] Yeah.
40
41 Jerry Fenn: [22:24] Right. You made a statement in your rebuttal testimony on
42 Page 19 about the project could be in jeopardy if the project is not
43 approved, if this application isn't approved in a timely manner. [22:51]
44 Just give me and I think you also want to say there's no set day but
45 we're talking what type of timeframe for approval process? [23:00]
46 Are we talking if this is – if a Commission order was issued within

1 months would that not put the matter in jeopardy? I'm just trying to
2 get an idea for you...

3

4 Daniel MacNeil: [23:11] Yeah. I don't think it's days. I think months is probably
5 acceptable but sooner the better.

6

7 Jerry Fenn: [23:17] Well, I'm not suggesting it will...

8

9 Daniel MacNeil: [23:18] Yeah.

10

11 Jerry Fenn: [23:19] ...necessarily take months.

12

13 Daniel MacNeil: [23:19] Yeah.

14

15 Jerry Fenn: [23:20] I'm just trying to get...

16

17 Daniel MacNeil: [23:21] Yeah.

18

19 Jerry Fenn: [23:21] ...parameters from...

20

21 Daniel MacNeil: [23:22] I forget exactly but I believe there were certain language in the
22 contract perhaps that said how long that those might take, the specific
23 designation of commission – waiting on commission approvals. I
24 would guess months is acceptable. It's all right.

25

26 Jerry Fenn: [23:44] We would assume that there's a – it's a reasonable period of
27 time for the Commission to consider and rule and issue a written order
28 and...

29

30 Daniel MacNeil: [23:51] Yeah.

31

32 Jerry Fenn: [23:52] ...that that won't put the project in jeopardy if it's done in the
33 normal course of what you would expect a commission order to be...

34

35 Daniel MacNeil: [23:58] That's my understanding.

36

37 Jerry Fenn: [23:58] ...to take. Okay, all right. Well, I think, as Commissioner Clark
38 said, a lot of moving parts here but I think I want to commend the
39 Company for the efforts that they put into this to try to protect
40 customers in the state of Utah, so thank you. Nothing further, you may
41 be excused. Thank you, Mr. MacNeil.

42

43 Daniel MacNeil: [24:27] Thank you.

44

45 Jerry Fenn: [24:30] Anything else from Rocky Mountain Power?

46

1 Tiffanie Ellis-Burke: [24:35] No, Chair.
2
3 Jerry Fenn: [24:36] Okay. Let's go to Mr. Grecu.
4
5 Patrick Grecu: [24:40] Thank you. The Division would like to call Mr. David
6 Williams.
7
8 Jerry Fenn: [24:44] Okay. And just to note, we have tried to establish a practice
9 now that if we've allowed a witness to appear remotely that we receive
10 their summary in advance because we've been concerned a little bit
11 about technological glitches that we could have, so we received Mr.
12 Williams' summary yesterday and I've had a chance to review that but
13 let's swear him. Mr. Williams, we're going to take your word for it
14 that you're raising your right arm to the swear right now.
15
16 David Williams: [25:15] I am right now.
17
18 Jerry Fenn: [25:18] All right.
19
20 David Williams: [25:18] I am.
21
22 Jerry Fenn: [25:19] All right. [25:19] Do you solemnly swear the testimony you're
23 about to give in this matter pending before the Public Service
24 Commission of the state of Utah shall be the truth, the whole truth, and
25 nothing but the truth, so help you God?
26
27 David Williams: [25:29] I do.
28
29 Jerry Fenn: [25:29] Thank you. [25:31] Mr. Grecu?
30
31 Patrick Grecu: [25:32] Thank you. [25:33] Mr. Williams, could you please state and
32 spell your name for the record?
33
34 David Williams: [25:39] David Williams, D-A-V-I-D W-I-L-L-I-A-M-S.
35
36 Patrick Grecu: [25:48] By whom are you employed and what is your position?
37
38 David Williams: [25:52] I'm employed by the Division of Public Utilities and my
39 position is utility technical consultant.
40
41 Patrick Grecu: [26:03] And what is your business address?
42
43 David Williams: [26:07] I would have to [inaudible] 26:07] but it's 160 East 300 South,
44 4th Floor, Salt Lake City, Utah 84111.
45
46 Patrick Grecu: [26:20] Have you participated in this docket on behalf of the Division?

1
2 David Williams: [26:25] Yes.
3
4 Patrick Grecu: [26:27] And did you review the Company's application, supporting
5 exhibits, testimony, and responses to data requests, and the testimony
6 of other parties in this case?
7
8 David Williams: [26:37] Yes.
9
10 Patrick Grecu: [26:39] Did you also attend the closed technical conference, which
11 was held on January 13, 2026?
12
13 David Williams: [26:46] I did.
14
15 Patrick Grecu: [26:48] Did you prepare and cause to be filed your direct testimony in
16 DPU Exhibits 1.1 through 1.5, which were filed on January 23, 2026?
17
18 David Williams: [27:00] Yes.
19
20 Patrick Grecu: [27:01] And do you have any changes or corrections to those filings?
21
22 David Williams: [27:05] No.
23
24 Patrick Grecu: [27:07] If I ask you the same questions posed in that testimony today,
25 would you provide the same answers?
26
27 David Williams: [27:13] I would.
28
29 Patrick Grecu: [27:14] And do you adopt the contents of that testimony as part of
30 your testimony today?
31
32 David Williams: [27:20] I do.
33
34 Patrick Grecu: [27:21] I'd like to move to admit Mr. Williams' direct testimony and
35 associated exhibits.
36
37 Jerry Fenn: [27:27] Thank you. [27:27] Is there any objection? Okay. We'll admit
38 Mr. Williams' direct testimony and his exhibits.
39
40 Patrick Grecu: [27:32] Thank you. [27:34] Mr. Williams, did you also review the
41 settlement stipulation filed in this docket?
42
43 David Williams: [27:39] I did.
44
45 Patrick Grecu: [27:40] And is it the Division's position that the settlement stipulation
46 is just and reasonable in result and approval is in the public interest?

1
2 David Williams: [27:49] Yes.
3
4 Patrick Grecu: [27:51] Do you have a summary to share supporting approval of the
5 settlement stipulation?
6
7 David Williams: [27:56] I do.
8
9 Patrick Grecu: [27:57] Please proceed.
10
11 David Williams: [28:00] Thank you, Chair Fenn, Commissioner Clark, and
12 Commissioner Harvey for allowing me to testify remotely today. In
13 this docket, Rocky Mountain Power (or the Company) filed its
14 Application on October 20, 2025. The Company's application
15 concerns a proposed power purchase agreement (or PPA) for the
16 output of a future 345-megawatt nuclear power plant (or Natrium) to
17 be built near Kemmerer, Wyoming. In its application, the Company is
18 requesting that the Company: (1) grant the Company's – sorry –
19 requesting that the Commission: (1) grant the Company's request for a
20 waiver of the solicitation process under Utah Code Section 54-17-
21 501(1)(b); (2) approve its request for approval of a significant energy
22 resource decision to enter into the PPA pursuant to Utah Code Section
23 54-17-302; and (3) acknowledge the report of sale, transfer, or other
24 disposition of utility assets required under Utah Admin. Code R746-
25 401-3(b) based on the water use agreement that is related to and
26 required for the PPA. The PPA will be with US SFR Owner, LLC (or
27 US SFR), subsidiary of TerraPower, the designer of the plant.
28
29 The plant is currently projected to be online at the end of 2031. The
30 Natrium plant is a sodium-cooled fast reactor that will ultimately have
31 a power output of 345 megawatts, with a molten salt storage system
32 that will allow flexible operation between 100 and 500 megawatts. The
33 interconnection will be a surplus interconnection behind the current
34 Naughton plant. In his direct testimony for the Company, Rick Link
35 describes how the PPA will be structured and how the Company will
36 pay for the energy from Natrium. The structure of the PPA has
37 provisions that limit the Company and ratepayers from being liable for
38 Natrium cost overruns. In light of the cost overruns that occurred for
39 the most recently constructed nuclear plants in the U.S., preventing
40 Utah ratepayers from being responsible for Natrium construction cost
41 overruns was a high priority for the Division. There are multiple
42 contract features that are designed to protect Utah ratepayers, and
43 these details in the PPA are confidential. The primary protective
44 feature relates to the pricing, as described in the un-redacted testimony
45 and discussed in the technical conference; this feature is summarized
46 in Lines 87 through 94 of the Direct Testimony of Mr. Link. Other

1 contract provisions also provide protections to ratepayers. The
2 Division places importance on the contract provisions described in
3 Lines 105 to 110 of the Direct Testimony of Mr. Link. In particular,
4 the contract provision summarized in Lines 109 and 110 limits the
5 total ratepayer liability even in the event that some other aspects of the
6 contract fail to materialize as expected.
7

8 In my direct testimony for the Division, I recommended that the
9 Commission “approve the application for a waiver under Section 54-
10 17-501 and approve the proposed PPA under Section 54-17-302, with
11 a condition that the Company perform a basic IRP analysis comparing
12 Natrium to an optimized alternative portfolio, using projected costs
13 from Work Paper 1.” The Division initially felt this analysis was
14 needed to comply with Utah Admin. Code R746-430-4(1)(f)(i) and
15 Utah Code Section 54-17-302(3)(c)(iv). In addition to the Division, the
16 Utah Office of Consumer Services and Western Resource Advocates
17 also filed direct testimony. The OCS recommended that the
18 Commission approve the Company’s request for a waiver of the
19 solicitation requirement and the request for the acquisition of a
20 significant energy resource. WRA did not oppose approval of the
21 application. Therefore, all 3 stakeholders who submitted direct
22 testimony recommended approval of or did not oppose the waiver and
23 the PPA, although the Division requested additional analysis. The idea
24 behind the Division’s requested analysis was that the Company had
25 not yet shown that the Natrium resource was “consistent with the
26 utility’s current integrated resource plan” as required by Rule R746-
27 430-4(1)(f)(i), which applies when seeking a waiver of a solicitation
28 process. Furthermore, Section 54-17-302(3)(c)(iv) states that in ruling
29 on whether a significant energy resource is in the public interest, the
30 Commission should consider whether “it will most likely result in the
31 acquisition, production, and delivery of electricity at the lowest
32 reasonable cost to the retail consumers.”
33

34 There are two ways a resource could be valued against other resources
35 to evaluate whether it will result in electricity at the lowest reasonable
36 cost. One way is for the resource to be selected in an integrated
37 resource plan (or IRP). The Natrium resource was selected as part of
38 the 2025 IRP but that is because it was not assigned cost. Such an
39 analysis does not provide meaningful results, as presumably many
40 candidate resources would be selected if it had no costs assigned to it.
41 Another way to show that a resource will result in electricity at the
42 lowest reasonable cost is to run the IRP-style analysis on resources
43 that submitted bids in a request for proposal (or RFP), so that the
44 resource in question could be compared to other bids from similar
45 resources. However, Natrium was not selected as the result of an RFP
46 and, to the Division’s knowledge, there are no other nuclear plants that

1 could bid into such an RFP, so this avenue was not open. Therefore,
2 the Division requested an IRP modeling run with plausible Natrium
3 cost to compare that scenario to a scenario with no Natrium. However,
4 after discussing the issue with the Company and reviewing the rebuttal
5 testimony of Company witness Dan MacNeil, this concern is lessened.
6 The Company has made a reasonable case that given the exact nature
7 of the PPA pricing, the results of the type of analysis that the Division
8 requested would not be as useful as in a typical resource comparison
9 case. The exact reason for this is confidential but on Lines 107 to 149
10 of his rebuttal testimony, Mr. MacNeil describes the benefits from the
11 Natrium plant and why the traditional IRP comparison analysis would
12 not be as useful in the present case.
13

14 One other issue that the Division raised was the possibility of delays,
15 considering that Natrium is using first-of-its-kind technology. Delays
16 in the project are a possibility; however, as Natrium supplies energy
17 and not capacity, even if the project is delayed, the Naughton plant is
18 still available to meet capacity needs. In determining whether a
19 utility's request for approval of a significant energy resource decision
20 is in the public interest, the Division notes that Utah Code Section 54-
21 17-302(3)(c)(iv), which mentions whether the decision would most
22 likely result in the acquisition, production, and delivery of electricity at
23 the lowest reasonable cost is just one factor of 9 the decision the,
24 sorry, the Commission should take into consideration. Therefore, even
25 if hypothetically some alternate portfolio could be constructed that was
26 slightly cheaper to replace Natrium that alone would not be dispositive
27 under the statute. The dispatch ability of the resource and ability to
28 have multiple types of generation should also be considered.
29

30 After engaging in good faith, arms-length settlement negotiation, the
31 Company, the Division, the OCS, and WRA eventually reached an
32 agreement. The settlement stipulation the Company filed on March 13
33 of this year reflects that agreement. The terms of the settlement
34 stipulation state that the stipulating parties agree and recommend that
35 the Commission issue an order finding that: the Company's decision to
36 enter into the PPA is in the public interest; granting the Company's
37 request for a waiver of the solicitation requirements is in the public
38 interest; and the application meets the requirements of a report of sale,
39 transfer, or other disposition of utility assets under the Admin Code.
40 As part of the settlement stipulation, the Company agrees that it will
41 "evaluate portfolios both with and without KU1 in its integrated
42 resource plans and IRP updates, including its 2025 IRP update." The
43 Company also agrees to report on the Natrium plant's performance and
44 other key metrics on an annual basis, beginning after the first year of
45 commercial operation. These and other provisions in the settlement
46 stipulation satisfy the Division's request for supplemental analysis.

1 The Division believes that this settlement is just and reasonable in
2 result and that the approval of the settlement stipulation is in the public
3 interest. This concludes my summary.
4
5 Jerry Fenn: [40:39] Okay. Thank you very much, Mr. Williams. [40:41] Mr.
6 Grecu, anything else?
7
8 Patrick Grecu: [40:43] Nothing further. The witness is available for cross-
9 examination and questions from the Commission.
10
11 Jerry Fenn: [40:48] Okay. Let's go to the Company. [40:50] Rocky Mountain
12 Power, any questions?
13
14 Tiffanie Ellis-Burke: [40:52] Just 2 clarifying questions, Mr. Williams. You mentioned that
15 the Division is satisfied with the explanation provided by Mr. MacNeil
16 regarding the viability, if you will, or the usefulness of the normal
17 modeling runs. And I just wanted to confirm that you are, in fact,
18 satisfied with how the Company has explained how those modeling
19 runs do not adequately show the benefits of Natrium.
20
21 David Williams: [41:26] Yes.
22
23 Tiffanie Ellis-Burke: [41:28] And finally, just to confirm, does the Division believe that the
24 factors from Utah Code Section 54-17-302(3)(c) weigh in favor of
25 approving the PPA?
26
27 David Williams: [41:41] Yes.
28
29 Tiffanie Ellis-Burke: [41:42] Okay. That is it. Thank you so much, Mr. Williams.
30
31 Jerry Fenn: [41:45] Okay. Thank you, Ms. Burke. Mr. Moore, any questions from
32 you?
33
34 Robert Moore: [41:48] No questions from the OCS. Thank you.
35
36 Jerry Fenn: [41:50] Okay. Thank you. Ms. Hayes?
37
38 Sophie Hayes: [41:52] No questions.
39
40 Jerry Fenn: [41:53] Mr. Russell?
41
42 Phillip Russell: [41:54] No questions. Thank you.
43
44 Jerry Fenn: [41:55] Ms. King?
45
46 Michelle King: [41:56] No questions.

1
2 Jerry Fenn: [41:56] Okay. Thank you. Commissioner Harvey?
3
4 John Harvey: [42:02] Good morning, Mr. Williams.
5
6 David Williams: [42:04] Good morning.
7
8 John Harvey: [42:07] Were you able to hear the proceedings of this hearing earlier
9 this morning?
10
11 David Williams: [42:15] Yes.
12
13 John Harvey: [42:17] So you heard my questions with the PacifiCorp witness?
14
15 David Williams: [42:22] Yes.
16
17 John Harvey: [42:24] Do you have any disagreement or anything you would add to
18 elaborate to any of his answers?
19
20 David Williams: [42:34] No, I don't think so.
21
22 John Harvey: [42:36] Okay. Thank you. That's all my questions.
23
24 Jerry Fenn: [42:39] Commissioner Clark?
25
26 David Clark: [42:43] Good morning, Mr. Williams.
27
28 David Williams: [42:45] Good morning.
29
30 David Clark: [42:45] I just have a question regarding Paragraph 11 of the settlement
31 and it...
32
33 David Williams: [42:52] Paragraph 11.
34
35 David Clark: [42:54] Right. Just let me know when you've had a chance to review
36 that.
37
38 David Williams: [43:13] Starting with "following the...
39
40 David Clark: [43:15] Right.
41
42 David Williams: [43:15] ...KU1 project's first year?"
43
44 David Clark: [43:17] Right.
45
46 David Williams: [43:23] Okay.

1
2 David Clark: [43:26] So this paragraph describes a reporting obligation regarding
3 the performance and other key metrics for the KUI project and it
4 indicates that the format and the required information under the
5 reporting obligation will be determined after the first year of
6 operations.
7
8 David Williams: [44:06] Yes.
9
10 David Clark: [44:07] And I just am interested in your level of confidence that it will
11 be reasonably likely that the parties will agree on the content of the
12 report and the information that will be provided to the Commission.
13
14 David Williams: [44:41] I guess it's hard to predict what the Company, what the parties
15 will – whether the parties will agree but from the Division's
16 perspective, it's just basic plant operation information. Since it's a
17 PPA, what's mainly important is the output and I don't think we would
18 be looking for anything too much more complicated than some plant
19 operation characteristics, outage characteristics, stuff like that.
20
21 David Clark: [45:27] And so I infer from what you said that you're not anticipating
22 that there – that would be a controversial exercise to settle on the
23 information that should be reported.
24
25 David Williams: [45:44] I did not read that as being something that would be
26 controversial.
27
28 David Clark: [45:52] That's all my questions. Thank you, Mr. Williams.
29
30 David Williams: [45:55] Thank you.
31
32 Jerry Fenn: [45:58] Okay. Thank you, Mr. Williams. Mr. Grecu, anything else?
33
34 Patrick Grecu: [46:02] Nothing further from the Division.
35
36 Jerry Fenn: [46:04] Okay. Mr. Williams, you may be excused. Thank you very
37 much. All right.
38
39 David Williams: [46:08] Thank you.
40
41 Jerry Fenn: [46:09] Let's go to Mr. Moore.
42
43 Robert Moore: [46:11] I have no questions from the OCS. And the OCS calls from the
44 Office of Consumers Cameron Irmas to the stand and ask that he be
45 sworn.
46

1 Jerry Fenn: [46:20] Okay. Thank you, Mr. Irmias. Welcome. It's nice to see you
2 again. [46:25] Will you raise your right arm to the swear? [46:27] Do
3 you solemnly swear the testimony you're about to give in this matter
4 pending before the Public Service Commission of the state of Utah
5 shall be the truth, the whole truth, and nothing but the truth, so help
6 you God?
7
8 Cameron Irmias: [46:35] I do.
9
10 Jerry Fenn: [46:35] Thank you very much. Be seated.
11
12 Robert Moore: [46:42] Could you please state and spell your name for the record?
13
14 Cameron Irmias: [46:45] Cameron Irmias, C-A-M-E-R-I-O-N I-R-M-I-A-S.
15
16 Robert Moore: [46:52] How are you employed and what is your business address?
17
18 Cameron Irmias: [46:55] I'm a utility analyst with the Office of Consumer Services. My
19 address is 160 East 300 South, Salt Lake City, Utah.
20
21 Robert Moore: [47:04] In your capacity as a utility analyst, have you reviewed the
22 application, testimony, [inaudible 47:09] responses, and did you attend
23 a technical conference in this case?
24
25 Cameron Irmias: [47:14] Yes, I did.
26
27 Robert Moore: [47:16] On January 23, 2026, did you file redacted and confidential
28 testimony with exhibits in this docket?
29
30 Cameron Irmias: [47:24] Yes.
31
32 Robert Moore: [47:25] Have you any changes you'd like to make to your written
33 testimony at this time?
34
35 Cameron Irmias: [47:28] No.
36
37 Robert Moore: [47:29] If I ask you the same questions as in your written testimony,
38 would your answers be the same?
39
40 Cameron Irmias: [47:35] Yes.
41
42 Robert Moore: [47:36] At this point, the OCS moves to admit Mr. Irmias' January 23
43 confidential and redacted testimony.
44
45 Jerry Fenn: [47:47] Thank you. Without objection, it's admitted. Thank you, Mr.
46 Moore.

1
2 Robert Moore: [47:54] Did you participate in negotiations and have you reviewed the
3 final settlement stipulation that is the subject of this hearing?
4
5 Cameron Irmas: [48:01] Yes.
6
7 Robert Moore: [48:03] Have you prepared a statement setting out the Office of
8 Consumer Services' position on the settlement stipulation?
9
10 Cameron Irmas: [48:09] Yes.
11
12 Robert Moore: [48:09] Please proceed.
13
14 Cameron Irmas: [48:11] Good morning. On October 20, 2025, Rocky Mountain Power
15 filed an application to request a waiver from the solicitation process in
16 Part 2 of the Energy Resource Procurement Act and to request
17 approval of a significant energy resource decision related to the
18 Natrium commercial demonstration plant or KU1 project. On March
19 13, 2026, RMP, the Office of Consumer Services, the Division of
20 Public Utilities, and Western Resource Advocates entered into a
21 settlement stipulation supporting the approval of the waiver and the
22 resource decision. I conducted an analysis, the filing where I reviewed
23 the written testimony, work papers, and contract documents, the
24 Company's responses to data requests, and other available nuclear
25 industry documents to identify potential ratepayer risks as well as
26 benefits associated with the KU1 project and its accompanying PPA. I
27 also reviewed the requirements that must be met for this application to
28 be approved under Utah's Energy Resource Procurement Act. First, I
29 believe that the PPA qualifies for a waiver as it allows the Company to
30 lock in first rights to participate in a novel technical opportunity, a
31 sodium-cooled fast reactor coupled with a molten salt energy storage
32 system. In addition, the PPA is for 345 megawatts of electric power
33 with the integrated storage system enabling flexible operation from
34 100 to 500 megawatts for up to 5½ hours, which qualifies as a
35 significant energy resource.
36
37 Second, my analysis showed that the KU1 project is in the public
38 interest. KU1 will provide dispatchable power with the reactor running
39 continuously as baseload and molten salt storage ramping its output to
40 meet variable demand, resulting in high-capacity factor generation at a
41 reasonable average cost. The PPA structure in turn provides
42 appropriate cost and price protections and offers potential net benefits
43 to ratepayers. Furthermore, the settlement terms require RMP to model
44 future integrated resource plans or IRP portfolios with and without
45 KU1 as well as to report KU1 plant performance annually. This is
46 important because KU1 will be a first-of-its-kind plant and such

1 reporting is key to ensure ongoing transparency and to inform future
2 decision-making in other resource planning and acquisition
3 proceedings. The OCS looks forward to conferring with the other
4 parties to establish the appropriate KU1 performance metrics prior to
5 the first report, as agreed upon in the settlement. In conclusion, I
6 believe that the settlement is just and reasonable in result and in the
7 public interest. I recommend that the PSC approve the application.
8 Thank you.
9

10 Jerry Fenn: [50:51] Thank you, Mr. Irmas.

11

12 Robert Moore: [50:53] Mr. Irmas is now available for cross and questions from the
13 Commission.
14

15 Jerry Fenn: [50:57] Thank you, Mr. Moore. [50:58] Ms. Burke?

16

17 Tiffanie Ellis-Burke: [51:00] Nothing from us. Thank you.
18

19 Jerry Fenn: [51:01] Mr. Grecu?

20

21 Patrick Grecu: [51:02] No questions. Thank you.
22

23 Jerry Fenn: [51:03] Ms. Hayes?

24

25 Sophie Hayes: [51:04] No questions.
26

27 Jerry Fenn: [51:06] Mr. Russell?

28

29 Phillip Russell: [51:06] No questions. Thank you.
30

31 Jerry Fenn: [51:08] Ms. King?

32

33 Michelle King: [51:08] No questions.
34

35 Jerry Fenn: [51:09] I must turn to Commissioner Harvey.
36

37 John Harvey: [51:15] Similar to my – good morning.
38

39 Cameron Irmas: [51:17] Good morning.
40

41 John Harvey: [51:17] Similar to my question to the Division witness, did you have
42 any disagreement of anything you'd like to the responses from
43 PacifiCorp's witness?
44

45 Cameron Irmas: [51:29] Nothing to add. Thank you.
46

1 John Harvey: [51:32] And based on your summary, I'd like to confirm this, you feel
2 that the unique characteristics of this PPA with respect to the prices
3 that Utah ratepayers will ultimately reimburse PacifiCorp for, that
4 those are – that the structure of that agreement provides sufficient
5 protections for the Utah ratepayers?
6
7 Cameron Irmias: [52:05] I do.
8
9 John Harvey: [52:06] Okay. That's all the questions I have. Thank you.
10
11 Jerry Fenn: [52:09] Thank you, Commissioner Harvey. Commissioner Clark?
12
13 David Clark: [52:15] I don't have any questions. Thank you.
14
15 Male: [52:17] Thank you.
16
17 Jerry Fenn: [52:18] Okay. Mr. Irmias, thank you for that, I think, concise and very
18 well done summary. I have no...
19
20 Cameron Irmias: [52:25] Thank you.
21
22 Jerry Fenn: [52:25] ...questions. You may be excused. [52:31] Ms. Hayes, do you
23 want to call Mr. Boothman?
24
25 Sophie Hayes: [52:33] Good morning. Yes. Thank you. Western Resource Advocates
26 will call Karl Boothman.
27
28 Jerry Fenn: [52:39] Okay. Thank you very much. Mr. Boothman, welcome once
29 again. [52:45] Will you raise your right arm to the swear? [52:47] Do
30 you solemnly swear the testimony you're about the give in this matter
31 pending before the Public Service Commission of the state of Utah
32 shall be the truth, the whole truth, and nothing but the truth, so help
33 you God?
34
35 Karl Boothman: [52:55] I do.
36
37 Jerry Fenn: [52:55] Thank you very much. Please be seated.
38
39 Sophie Hayes: [53:03] Good morning, Mr. Boothman.
40
41 Karl Boothman: [53:04] Good morning.
42
43 Sophie Hayes: [53:05] Will you please state your name for the record.
44
45 Karl Boothman: [53:08] Yes. My name is Karl Boothman and that is K-A-R-L, last
46 name B-O-O-T-H-M-A-N. [53:19] Is this working? Okay.

1
2 Male: [53:20] Press the...
3
4 Karl Boothman: [53:21] I think we're...
5
6 Male: [53:22] Okay.
7
8 Karl Boothman: [53:22] I think it's on. Yeah.
9
10 Male: [53:23] Yeah.
11
12 Sophie Hayes: [53:24] Thank you. [53:27] By whom are you employed and in what
13 capacity?
14
15 Karl Boothman: [53:30] I am employed by Western Resource Advocates and my title is
16 senior policy advisor.
17
18 Sophie Hayes: [53:37] Have you testified previously for this Commission?
19
20 Karl Boothman: [53:40] Yes.
21
22 Sophie Hayes: [53:41] Did you prepare direct testimony in this docket in Exhibits
23 KB1 through KB3 that were filed in this docket on January 23 of this
24 year?
25
26 Karl Boothman: [53:52] Yes, I did.
27
28 Sophie Hayes: [53:53] Do you have any changes or corrections to your testimony?
29
30 Karl Boothman: [53:56] No changes.
31
32 Sophie Hayes: [53:57] So if I asked you the same questions today, would your
33 answers be the same?
34
35 Karl Boothman: [54:01] Yes.
36
37 Sophie Hayes: [54:02] Thank you. Western Resource Advocates will move the
38 admission of the pre-filed testimony and exhibits of Mr. Boothman.
39
40 Jerry Fenn: [54:11] Okay. Without objection, we'll admit Mr. Boothman's pre-
41 filed direct testimony in exhibits KB1 through 3.
42
43 Sophie Hayes: [54:19] Thank you. [54:20] Mr. Boothman, did you participate in
44 settlement negotiations in this proceeding?
45
46 Karl Boothman: [54:24] Yes, I did.

1
2 Sophie Hayes: [54:25] Do you have a statement in support of the settlement
3 stipulation?
4
5 Karl Boothman: [54:29] I do.
6
7 Sophie Hayes: [54:30] Please proceed.
8
9 Karl Boothman: [54:33] Excuse me. Good morning, Chair Fenn, Commissioner Clark,
10 and Commissioner Harvey. On behalf of WRA, I evaluated the
11 Company's application for a waiver of solicitation requirements for
12 the Kemmerer Unit 1 (or KU1) nuclear facility and application for
13 approval of a significant energy resource decision for the power
14 purchase agreement (or PPA) between PacifiCorp and US SFR Owner,
15 LLC. In my direct testimony, I concluded that a waiver of resource
16 solicitation requirement was reasonable due to the time-limited
17 technical opportunity of KU1. And based on the protective pricing
18 provisions for energy output from KU1, WRA did not oppose approval
19 of the PPA. In my direct testimony, I asked the Company for
20 additional explanation as to how it would pursue a least-cost, least-risk
21 system under several hypothetical scenarios meant to demonstrate the
22 operational and technological uncertainty of the KU1 demonstration
23 plant. These scenarios included various Naughton unit retirements that
24 may or may not affect surplus interconnection as well as construction
25 delays or outright cancellation of the nuclear project. In rebuttal
26 testimony, the Company was reasonably responsive to my requests. I
27 participated in settlement negotiations and I find the settlement
28 stipulation filed on March 13 to be just and reasonable in result. This
29 concludes my summary.
30
31 Jerry Fenn: [56:07] Okay. Thank you, Mr. Boothman.
32
33 Sophie Hayes: [56:09] Thank you. Mr. Boothman is available for questions.
34
35 Jerry Fenn: [56:13] Okay. Let's turn to Rocky Mountain Power.
36
37 Tiffanie Ellis-Burke: [56:15] Nothing from the Company.
38
39 Jerry Fenn: [56:17] Okay. [56:18] Mr. Grecu?
40
41 Patrick Grecu: [56:19] No questions. Thank you.
42
43 Jerry Fenn: [56:20] Mr. Moore?
44
45 Robert Moore: [56:21] No questions. Thank you.
46

1 Jerry Fenn: [56:23] Okay. [56:24] Mr. Russell?
2
3 Phillip Russell: [56:24] No questions. Thank you.
4
5 Jerry Fenn: [56:26] Ms. King?
6
7 Michelle King: [56:27] No questions. Thank you.
8
9 Jerry Fenn: [56:28] Okay. We're all doin' pretty well here. Okay. Good. Let's turn
10 to Commissioner Harvey.
11
12 John Harvey: [56:34] Good morning.
13
14 Karl Boothman: [56:35] Good morning.
15
16 John Harvey: [56:38] I have a good understanding, based on the statute, as to what
17 the Division and the Office what their responsibilities are with respect
18 to proceedings. I'm curious, as WRA is obviously a private
19 organization that has entered into this stipulation, I'm curious what
20 objectives WAR used just in general in evaluating whether they
21 thought the stipulation was a good idea or not.
22
23 Karl Boothman: [57:14] Yes. WRA has a longstanding practice to be engaged and to
24 monitor any resource acquisition process in front of the Utah Public
25 Service Commission. I think that our criteria, we have long been
26 technology agnostic but we would – we acknowledge the benefits of
27 clean energy. As that pertains to nuclear, I think that we are, because
28 we haven't experienced a nuclear proposal in our service territory or
29 mine being the state of Utah and Rocky Mountain Power service
30 territory, we are monitoring this closely. But I think that our general
31 practice is to evaluate all resource acquisitions for certain aspects of
32 whether or not it's in the public interest mainly on economics and
33 other environmental attributes.
34
35 John Harvey: [58:10] Thank you. That's all my questions.
36
37 Jerry Fenn: [58:14] Commissioner Clark?
38
39 David Clark: [58:20] So a question based on your last sentence. I'm interested to
40 have you elaborate on this particular technology and environmental
41 attributes that you have evaluated and attribute to the technology.
42
43 Karl Boothman: [58:44] Well, understanding that our engagement in this docket was
44 really focused on the terms of the PPA between the Company and US
45 SFR, I don't know that I can speak confidently to the hypothetical
46 environmental impacts of this project in particular. And I would also, I

1 would say that maybe the Company also has shown that it hasn't been
2 – it hasn't had the opportunity to speak to the specifics of the project
3 because they are not the developer as well. So in terms of nuclear
4 technology, I have been monitoring nuclear developments and
5 technology since I began with WRA, and again, we don't have a
6 statement or a position for or against. We acknowledge that there are
7 certain benefits, one being that it is clean, non-emitting energy. There
8 are certain land-use considerations in which nuclear seems to be a
9 lower land-use technology relative to other technologies but we also
10 understand that there are long-term waste solutions that need to be
11 resolved as well as community impacts that should be evaluated on a
12 case-by-case basis.
13
14 David Clark: [1:00:09] Thank you. That's my only question.
15
16 Jerry Fenn: [1:00:12] Thank you, Commissioner Clark. I have no questions, Mr.
17 Boothman. You may step down. Thank you very much. Appreciate it.
18
19 Karl Boothman: [1:00:16] Thank you.
20
21 Jerry Fenn: [1:00:19] Anything else from Rocky Mountain Power today?
22
23 Tiffanie Ellis-Burke: [1:00:22] I don't believe so.
24
25 Jerry Fenn: [1:00:23] Okay. I just want to indicate how impressed I am with the
26 work the Company has done in negotiating the terms of the PPA. I
27 think I also want to commend the parties for getting together and being
28 able to work through the issues and reach the stipulation. I asked a
29 question earlier with respect to the issue of delay and I've had a
30 chance to look at the terms of the PPA. Given the time period that's
31 described in there for Commission approval, we will have no problem
32 in issuing this order. It's simply going to go into the queue of we've
33 got a lot of other orders but we'll get it out as soon as we possibly can.
34 All right. Thank you very much for your attendance today. I'm sorry to
35 say that I missed my goal of finishing in less than an hour but we did
36 pretty well, so thank you very much. Appreciate your attendance. That
37 concludes this hearing.
38
39 Robert Moore: [1:01:24] Thank...
40
41
42 /mlc

May 3, 2026

RE: Transcript: Utah Public Service Commission - Melissa Paschal - Settlement Stipulation
March 31, 2026

Please be advised that the above-referenced typewritten transcript is a true and accurate transcription of the recorded conversations to the extent that the audio could be clearly heard/understood. Portions that could not be heard or understood have been notated with [inaudible] or highlighted in yellow.

Sincerely,

Mary A. Goehring

Mary A. Goehring
CEO, Transcription Plus, LLC

I certify that this document is a true and accurate transcription of the audio voice file indicated above.

Michelle L. Coronado

Michelle L. Coronado, Transcriptionist
Transcription Plus, LLC