



UTAH

**Governor
Spencer J. Cox**

**Lieutenant Governor
Deidre M. Henderson**

Division of
Public Utilities

Director,
Chris Parker

Action Request Response

To: Public Service Commission of Utah

From: Utah Division of Public Utilities

Chris Parker, Director

Brenda Salter, Assistant Director

Doug Wheelwright, Utility Technical Consultant Supervisor

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McKenzie Cantlon, Utility Analyst

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Date: October 28, 2026

Re: **Docket No. 26-031-04**, Mt. Wheeler Power Cooperative 2026 Wildland Fire Cost and Compliance Report.

Recommendation (Acknowledge with Recommendation)

The Division of Public Utilities (Division) recommends that the Public Service Commission of Utah (Commission) acknowledge Mt. Wheeler Power Inc.'s (Mt. Wheeler or Company) 2026 Wildland Fire Cost and Compliance Report, filed on September 30, 2026, as complying with Utah Code §54-24-203(4)b). The Division recommends that Mt. Wheeler consider:

1. Reporting on activities performed under the plan on a full 12-month calendar-year period to ensure comparability and usefulness of the report.
2. Submitting its annual compliance report for the previous year's activities to its governing board by June 1st.
3. Reporting the actual metrics and costs for the current year next to the planned goals and budgets from the approved plan to ensure accountability and transparency of implementation.
4. Reporting fire suppression and mitigation costs separately to ensure accountability, comparability, and transparency of the plan.

Issue

On September 30, 2026, Mt. Wheeler filed a copy of its 2026 Wildland Fire Cost and Compliance Report (Compliance Report). On the same date, the Commission issued an Action Request to the Division asking the Division to review the filing for compliance and make recommendations by October 30, 2026. This memorandum is the Division's response to the Action Request.

Background

Mt. Wheeler is a non-profit rural electric distribution cooperative. Utah Code §54-24-203(4) requires electric cooperatives to: (a) file with its governing authority an annual report detailing the electric cooperative's compliance with the wildland fire protection plan; and (b) file with the Commission a copy of the annual compliance report described in Subsection (4)(a).

Discussion

Mt. Wheeler submitted its 2026 Compliance Report detailing mitigation activities undertaken in calendar year 2025, to its governing authority, which is its Board of Directors, on September 8, 2026, and it was approved. The Compliance Report states that the reported activities were completed prior to October 1, 2026. The Division contacted Mt. Wheeler personnel informally to verify the actual timeframe the reported activities covered, and Mt. Wheeler confirmed that the Compliance Report details activities undertaken in calendar year 2025. The Division obtained board meeting minutes, provided as DPU Exhibit 1.1, to verify the report's approval. The Compliance Report was then filed with the Commission on September 30, 2026.

The Compliance Report submitted by Mt. Wheeler reported that the following actions were taken by the Company during calendar year 2025:

- Two-hundred seventy-five (275) line-miles were inspected in Tooele, Juab, and Millard counties.
- Approximately three (3) miles of line were reinsulated with 120 insulators.
- \$145,000 was spent on tree-trimming and clearing rights-of-way.

Recommendations

Division recommendations found in this filing are consistent with recommendations in other electric cooperative dockets¹ and are provided in an effort to standardize reporting recommendations across all electric cooperatives. The Division recommends that annual reports be completed on a full 12-month calendar-year basis, and that annual reports be submitted to electric cooperatives' governing board by June 1st for the previous year. Additionally, the Division recommends that actual costs and metrics be reported next to the planned goals and budget of the most recent approved plan. When applicable, the Division also recommends electric cooperative utilities include separate reporting metrics for expenditures related to fire mitigation and fire suppression.

The Division highlights that Utah Code § 54-24-203 is currently silent on a submission deadline for electric cooperatives' annual cost and compliance reports. This stands in sharp contrast to investor-owned utilities, which are clearly required to submit their yearly reports to their governing authority by June 1st. There has been inconsistency in reporting from year to year and between electric cooperative reports. The Commission and the cooperatives may wish to consider setting a date for electric cooperatives' cost and compliance reports. Establishing a submission deadline could eliminate ambiguity and ease review for all parties.

Conclusion

Based on its review of the filing, the Division recommends that the Commission acknowledge that Mt. Wheeler has complied with the filing requirements for the 2026 Compliance Report under Utah Code §54-24-203(4)(b). The Division suggests that Mt. Wheeler consider the following recommendations:

1. Reporting on activities performed under the plan on a full 12-month calendar-year period to ensure comparability and usefulness of the report.

¹ Docket Nos. 25-025-01, 25-028-06, 25-032-01, 25-066-01, 26-030-01, 26-032-02; DPU Comments.

2. Submitting its annual compliance report for the previous year's activities to its governing board by June 1st.
3. Reporting the actual metrics and costs for the current year next to the planned goals and budgets from the approved plan to ensure accountability and transparency of implementation.
4. Reporting fire suppression and mitigation costs separately to ensure accountability, comparability, and transparency of the plan.

cc: Mitch McVicars, Mt. Wheeler Operations Manager
Michele Beck, Office of Consumer Services