

March 13, 2026

VIA ELECTRONIC FILING

Public Service Commission of Utah
Heber M. Wells Building, 4th Floor
160 East 300 South
Salt Lake City, UT 84114

Attention: Gary Widerburg
Commission Administrator

Re: Docket No. 26-035-05- Application of Rocky Mountain Power for Approval of Large-Load Service Contract between PacifiCorp and a Large-Load Customer Settlement Stipulation with the Division of Public Utilities and the Office of Consumer Services

Pursuant to Utah Code Ann. § 54-7-1 and the Rules of the Public Service Commission of Utah (“Commission”), Rocky Mountain Power (“Company”) hereby submits for filing a Settlement Stipulation (“Stipulation”) entered into between the Company, the Division of Public Utilities, and the Office of Consumer Services. The Stipulation was distributed to the Utah Association of Energy Users on March 11, 2026, for its consideration.

The Company respectfully requests that the Commission consider this Stipulation at the March 17, 2026 Hearing set in the Scheduling Order and Notice of Hearing issued by the Commission on February 13, 2026.

Rocky Mountain Power respectfully requests that all formal correspondence and requests for additional information regarding this filing be addressed to the following:

By E-mail (preferred): datarequest@pacificorp.com
max.backlund@pacificorp.com

By regular mail: Data Request Response Center
PacifiCorp
825 NE Multnomah, Suite 2000
Portland, OR 97232

Informal inquiries may be directed to Max Backlund at max.backlund@pacificorp.com.

Sincerely,



Max Backlund
Utah Regulatory Affairs Manager

CERTIFICATE OF SERVICE

Docket No. 26-035-05

I hereby certify that on March 13, 2026, a true and correct copy of the foregoing was served by electronic mail to the following:

Utah Office of Consumer Services

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Rocky Mountain Power

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Carrie Meyer
Manager, Discovery & Regulatory Operations

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

IN THE MATTER OF ROCKY MOUNTAIN POWER FOR APPROVAL OF LARGE-LOAD SERVICE CONTRACT BETWEEN PACIFICORP AND A LARGE-LOAD CUSTOMER	Docket No. 26-035-05
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SETTLEMENT STIPULATION

1. The Settlement Stipulation (“Stipulation”) is entered into by and among PacifiCorp, d.b.a. Rocky Mountain Power (“Company” or “Rocky Mountain Power”), the Utah Division of Public Utilities (“DPU”), and the Office of Consumer Services (“OCS”), (collectively referred to herein as the “Settling Parties” and singly as a “Settling Party.”).

2. The Utah Association of Energy Users (“UAE”) filed a Petition for Leave to Intervene in this proceeding, which the Public Service Commission of Utah (“Commission”) granted on March 3, 2026. The Utah Clean Energy (“UCE”) also filed a Petition for Leave to Intervene in this proceeding, but the Commission has not yet granted the petition. UCE therefore has not provided testimony in the proceeding. The Settling Parties presented the Stipulation to UAE and UCE on March 11, 2026. Because the Commission has not granted intervention to UCE, UCE did not take a stance on the Stipulation. UAE did not state whether it opposes or does not oppose approval of the Stipulation.

BACKGROUND

3. On February 10, 2026, the Company filed with the Commission its application (the “Application”) pursuant to Utah Code Ann. § 54-26-301 *et seq.*, and Utah Administrative Code

R746-318-201. The Company seeks Commission approval of a large load service contract between itself and a large load customer in Utah (the “LLSC”). The LLSC is the first large load contract PacifiCorp has entered into pursuant to Utah’s new large load act,¹ which was adopted to address service of loads of 100 megawatts (“MW”) or greater in Utah;² Rocky Mountain Power’s Application and supporting testimonies of Craig M. Eller, Ramon J. Mitchell, and Thomas R. Burns demonstrate that the LLSC meets the requirements of Utah Code title 54, chapter 26 (the “Act”). In particular, as required for approval of the Application by Utah Code Ann. § 54-26-302(2) and Administrative Code R746-318-202, the Application and supporting testimony provided evidence that (1) the large load customer will bear all just and reasonable incremental costs attributable to receiving the requested electric service and (2) Rocky Mountain Power’s existing ratepayers will not bear costs justly and reasonably attributable to providing electric service to the large load customer.

4. On March 3, 2026, the DPU filed the direct testimony of Matt Pernichele, in which the DPU asserted that the Application appeared to be “largely complete” and to “conform with the Act.”³ Mr. Pernichele further testified that “PacifiCorp’s projections of the financial benefits, costs, system impacts, and ancillary economic benefits are supported and reasonable.”⁴ At the time the DPU filed Mr. Pernichele’s testimony, there was a single issue upon which it needed additional information to provide unqualified support for the Application.⁵ The Company has now provided DPU information sufficient to allow it to resolve its outstanding concerns and enter this Stipulation.

¹ *Application of Rocky Mountain Power for Approval of Large-Load Service Contract between PacifiCorp and a Large-Load Customer*, Docket No. 26-035-05, Direct Testimony of Matt Pernichele for the Division of Public Utilities (“Pernichele Direct”), at lines 77-79 (March 3, 2026).

² Utah Code Ann. § 54-26-101(12).

³ Pernichele Direct, line 34.

⁴ Pernichele Direct, lines 35-36.

⁵ Pernichele Direct, lines 101-03 and 375-79.

5. On March 3, 2026, the OCS filed the direct testimony of Cameron Irmias, in which the OCS recommended the Commission approve the LLSC because the OCS found that the Application meets the legal requirements of the Act and associated regulations.⁶

6. On March 3, 2026, UAE filed the direct testimony of Justin Bieber, in which UAE did not oppose the Commission approving the LLSC.⁷ Unlike the DPU and OCS, UAE has had only limited access to the information in the Application, Company's direct testimonies, and the LLSC because certain pieces of information were designated as Highly Confidential - Regulator Access Only – Subject to Utah Public Service Commission rule R746-318-103. As a result, Mr. Bieber's testimony stated that UAE recommended the Commission not approve the proposed accounting treatment for the LLSC until UAE have the opportunity to obtain access to details sufficient to allow UAE to examine whether the "proposed accounting treatment will protect existing customers from subsidizing the new large load."⁸

7. The DPU, OCS, and Rocky Mountain Power conducted settlement discussions in February and early March 2026.

8. The Settling Parties represent that this Stipulation is just and reasonable in result and consistent with the Act, Utah Code § 54-7-1 (which encourages settlement of matters pending before the Commission), and related Commission rules. Furthermore, the Settling Parties represent the Stipulation is in the public interest. The DPU, OCS, and Rocky Mountain Power recommend that the Commission approve the Stipulation and all of its terms and conditions.

⁶ *Application of Rocky Mountain Power for Approval of Large-Load Service Contract between PacifiCorp and a Large-Load Customer*, Docket No. 26-035-05, Direct Testimony of Cameron Irmias for the Office of Consumer Services ("Irmias Direct"), at lines 267-268 (March 3, 2026).

⁷ *Application of Rocky Mountain Power for Approval of Large-Load Service Contract between PacifiCorp and a Large-Load Customer*, Docket No. 26-035-05, Direct Testimony of Justin Bieber on behalf of Utah Association of Energy Users ("Bieber Direct"), at line 189 (March 3, 2026).

⁸ Bieber Direct, lines 193-201.

9. The Settling Parties request that the Commission make findings of fact and reach conclusions of law based on the evidence presented in this proceeding and on this Stipulation and issue an appropriate order approving the Stipulation.

SETTLEMENT TERMS

For purposes of this Stipulation, the Settling Parties agree and recommend the Commission approve the following terms:

10. The LLSC is just and reasonable, is in the public interest, meets the requirements of the Act, Utah Code § 54-7-1, and related Commission rules, and requests that it be approved by the Commission.

11. The Settling Parties request that the Commission issue an Order on the LLSC on or before March 20, 2026.

12. To further clarify the record and resolve uncertainty regarding the accounting treatment of the LLSC in future net power cost, rate case, and system allocation proceedings during the term of the LLSC, and regardless of the actual charge amounts and structures under the LLSC, which remain highly confidential, the Settling Parties stipulate to the following items and agree that the LLSC will result in no net increases to the costs to other Utah customers:

- a. The coincident peak loads and energy usage of the LLSC customer will be removed from the calculation of the system energy (“SE”) and system generation (“SG”) allocation factors.
- b. The Company shall reduce system net power costs (i.e., prior to allocation among the states the Company serves) in each hour by an amount equal to the product of (a) and (b) where (a) is the LLSC customer’s actual energy consumption for each hour in a calendar year and (b) is for each hour, the hourly value calculated as the average of the locational marginal prices (“LMP”) reported by the California Independent System Operator (“CAISO”) during the Extended Day-Ahead Market (“EDAM”) run at or near the location of the LLSC load.

- c. The Company will exclude all costs (e.g., capital, O&M, third-party power purchase agreement, third-party tolling agreements, third-party resource adequacy agreements, energy purchases, fuel, charging energy, imbalance charges, settlements, etc., as each may be applicable) associated with the “Proposed Resources” (as defined in the testimony of Company witness Eller at lines 155-160) or the interim market purchases (as described in the testimony of Company witness Eller at lines 170-182) from its system cost of service and system net power costs.
- d. All other large load costs will be accounted for as described in the testimony of Company witnesses Craig Eller and Ramon Mitchell.

13. The Parties to this Stipulation agree not to take a position regarding the LLSC in any proceeding related to net power costs, rates, and system allocations during the term of the LLSC that is contrary to the terms identified in paragraph 13(a) through (d) above.

14. Following the expiration or termination of the LLSC, the Company may not include the costs of any Proposed Resources in its cost of service or net power costs unless the Commission approves the inclusion of such resources through a separate proceeding.

15. This Stipulation does not preclude any Settling Party from taking a contrary position in response to a future application by the Company for approval of a future large-load service contract.

16. This Stipulation resolves all issues between the Settling Parties regarding the LLSC.

GENERAL TERMS AND CONDITIONS

17. This term sheet represents a compromise among competing interests and a resolution of all contested issues in this proceeding.

18. Utah Code Ann. § 54-7-1 authorizes the Commission to approve a settlement so long as the settlement is just and reasonable in result and in the public interest. The DPU, OCS,

and Rocky Mountain Power agree that this Stipulation is just and reasonable in result, is in the public interest, and satisfies the requirements of the Act including Utah Code Ann. § 54-26-202.

19. All negotiations related to this Stipulation are confidential, and no Settling Party shall be bound by any position asserted in negotiations. Except as expressly provided in this Stipulation, neither the execution of this Stipulation nor any order adopting it shall be deemed to constitute an admission or acknowledgment by any Settling Party of the validity or invalidity of any principle or practice of regulatory accounting or ratemaking; nor shall they be construed to constitute the basis of an estoppel or waiver by any Settling Party; nor shall they be introduced or used as evidence for any other purpose in a future proceeding by any Settling Party except in a proceeding to enforce this Stipulation.

20. The Settling Parties agree that no part of this Stipulation will in any manner be argued or considered as precedential in any future case, except with regard to issues expressly called out and resolved by this Stipulation. This Stipulation does not resolve and does not provide any inferences regarding and the Settling Parties are free to take any position with respect to any issues not specifically called out and settled herein.

21. In the event that the Commission requires a hearing on this Stipulation, Rocky Mountain Power, the DPU, and OCS each will make one or more witnesses available to explain and offer further support for this Stipulation. The Settling Parties shall support the Commission's approval of this Stipulation. As applied to the DPU and OCS, the explanation and support shall be consistent with their statutory authority and responsibility.

22. The Settling Parties agree that if any person challenges the approval of this Stipulation or requests rehearing or reconsideration of any order of the Commission approving this Stipulation, each Settling Party will use reasonable efforts to support the terms and conditions of


this Stipulation. As applied to the DPU and OCS, the phrase “use reasonable efforts” means that they shall do so in a manner consistent with their statutory authority and responsibility. In the event any person seeks judicial review of a Commission order approving this Stipulation, no Settling Party shall take a position in that judicial review proceeding in opposition to the Stipulation.

23. Except with regard to the obligations of the Settling Parties under the four immediately preceding paragraphs of this Stipulation, this Stipulation shall not be final and binding on the Settling Parties until it has been approved without material change or condition by the Commission.

24. This Stipulation is an integrated whole, and any Settling Party may withdraw from it if the Commission does not approve the Stipulation without material change or condition or if the Commission’s approval is rejected or materially conditioned by a reviewing court. If the Commission rejects any part of this Stipulation or imposes any material change or condition on approval of this Stipulation or if the Commission’s approval of this Stipulation is rejected or materially conditioned by a reviewing court, the Settling Parties agree to meet and discuss the applicable Commission or court order within five business days of its issuance and to attempt in good faith to determine if they are willing to modify the Stipulation consistent with the order. No Settling Party shall withdraw from the Stipulation prior to complying with the foregoing sentence. If any Settling Party withdraws from the Stipulation, any Settling Party retains the right to seek additional procedures before the Commission, including presentation of testimony and cross-examination of witnesses, with respect to issues resolved by the Stipulation, and no party shall be bound or prejudiced by the terms and conditions of the Stipulation.


25. This Stipulation may be executed by individual Settling Parties through two or more separate, conformed copies, the aggregate of which will be considered as an integrated instrument.

DATED this 13th day of March, 2026.

<p>UTAH DIVISION OF PUBLIC UTILITIES</p>  <hr/> <p>Chris Parker Director Utah Division of Public Utilities 160 East 300 South, 4th Floor Salt Lake City, UT 84114</p>	<p>ROCKY MOUNTAIN POWER</p> <hr/> <p>Craig Eller Senior Vice President Business Development & Customer Experience Rocky Mountain Power 1407 W. North Temple, Suite 330 Salt Lake City, UT 84116</p>
<p>OFFICE OF CONSUMER SERVICES</p> <hr/> <p>Michele Beck Director Office of Consumer Services 160 East 300 South, 4th Floor Salt Lake City, UT 84114</p>	

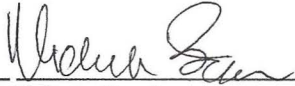
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