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June 28, 2026

Public Service Commission of Utah
Heber M. Wells Building
160 East 300 South
Salt Lake City, Utah 84111
psc@utah.gov

Re: Docket No. 26-035-26, Rocky Mountain Power Wildland Fire Cost and Compliance Report for Calendar Year 2025, Public Comment

Honorable Commissioners,

I write as a Utah ratepayer residing in Duchesne County and as the Forward Party candidate for Utah Senate District 20 on the November 3, 2026 general election ballot. My residence at 114 East 500 North, Duchesne, Utah is served by an electric cooperative, but my district includes more than 66,000 active registered voters across Daggett, Duchesne, Summit, Uintah, and Wasatch counties, many of whom are Rocky Mountain Power customers and all of whom are affected by the Commission's decisions on cost allocation. I file this comment to the docket record in both capacities.

My request to the Commission

I respectfully ask the Commission to do four things in this docket:

First, deny any portion of Rocky Mountain Power's proposed Schedule 97 cost recovery that includes wildfire liability or mitigation costs driven by other states' policies, judgments, or settlements. The Commission has already established this principle. In its April 25, 2025 Order in Docket Nos. 24-035-04, 23-035-40, and 23-035-44, the Commission removed approximately \$13 million in Washington climate policy costs and \$2.4 million in Oregon fish hatchery costs from Utah rates, finding that incremental costs driven by other states' policies and circumstances should not be borne by Utah ratepayers. That same order disallowed \$70.4 million in excess liability insurance costs driven by PacifiCorp's management of the September 2020 wildfires and reduced an additional \$12.9 million in Oregon legal expenses. The Commission should apply that same principle to Docket 26-035-26.

Second, require Rocky Mountain Power to publicly disclose, on a county by county basis, vegetation management spending, line hardening spending, Public Safety Power Shutoff events and durations, and unplanned outage frequency for each year covered by Schedule 97. Senate District 20 ratepayers cannot evaluate the prudence of statewide wildfire

mitigation spending without knowing what was actually spent inside our boundaries. The first PSPS event ever to include Uintah County occurred during the June 26 through 28, 2026 event, and ratepayers in the Uinta Basin deserve to see, on the public record, what mitigation spending preceded that decision.

Third, formally recognize on the docket record the bifurcation problem between Utah retail ratepayers and the wholesale transmission proceedings now active at the Federal Energy Regulatory Commission. Three Utah power providers, Deseret Generation and Transmission Cooperative, Utah Associated Municipal Power Systems, and Utah Municipal Power Agency, have filed a formal complaint at FERC in Docket EL25-99-000 opposing PacifiCorp's effort to recover \$1.7 billion in wildfire-related liability through wholesale transmission rates. That complaint cites jury findings of gross negligence, recklessness, and willfulness in the underlying wildfire cases. Utah retail ratepayers and Utah wholesale customers should not be subject to a coordinated cost-recovery strategy in which the company seeks to recover the same underlying liabilities through whichever rate proceeding is least scrutinized.

Fourth, in the Commission's order disposing of this docket, the Commission should recommend to the Utah Legislature statutory reform addressing utility negligence cost recovery, including the establishment of clear statutory standards for prudent versus imprudent wildfire mitigation investment, a public performance reporting requirement, and a petition mechanism for counties or cooperatives to seek service-territory review where Public Safety Power Shutoff frequency or outage duration exceeds defined performance thresholds. The Commission's regulatory authority is broad but not unlimited. Some of what is needed here must come from the Legislature, and the Commission's voice on what statutory tools would assist the Commission's work would carry significant weight.

Why the four-county headwater region matters here

Senate District 20 is the headwater district for the State of Utah. The Green and Colorado Rivers begin in the Uinta Basin. The Provo River begins on the Wasatch Back. Bear River tributaries arise in northern Summit County. The high-voltage corridors that carry electricity through Summit, Wasatch, Uintah, and Daggett counties run through federal and state forests that protect those waters. When a utility defers physical maintenance and substitutes blackouts in place of vegetation management and line hardening, the consequences land first on rural Utah communities and second on every downstream water user from Salt Lake City to the Lower Basin states. The Commission's geographic cost-allocation principle from April 2025 is, in my respectful view, also a watershed protection principle.

The negligence question

I do not ask the Commission to make findings of fact regarding the cause of wildfires in other jurisdictions. I do ask the Commission to refuse to assume prudence where juries in those jurisdictions have found otherwise. The Commission already rejected PacifiCorp's 2023 Wildfire Mitigation Plan in its April 2025 order, finding the company failed to provide a cost-benefit analysis sufficient to justify quadrupling its capital wildfire investment, and approved only \$51.2 million in capital additions and \$28.4 million in operations and

maintenance test year fire mitigation costs, a fraction of what the company requested. That record is on point in this docket.

Conclusion

I am not asking the Commission to be anti-utility. The Uinta Basin runs on a reliable grid, the Wasatch Back runs on a reliable grid, and the people of Senate District 20 are pro-energy, pro-grid, and pro-investment in the system that serves Utah. I am asking the Commission to draw the line in this docket where the Commission has already drawn it once before. The Public Service Commission has already said no to out-of-state cost-shifting twice. Senate District 20 is respectfully asking the Commission to say no again, and to use this docket to recommend the statutory tools that would let the Commission do its work without having to relitigate the same principle every year.

I am available to provide additional written information or to testify if the Commission opens this docket for hearing.

Respectfully submitted,

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Primary source references

1. Utah PSC Order, Docket Nos. 24-035-04, 23-035-40, 23-035-44 (April 25, 2025): pscdocs.utah.gov
2. Utah PSC Notice of Filing, Docket 26-035-26 (June 2, 2026): pscdocs.utah.gov
3. PacifiCorp Schedule 97, Wildfire Mitigation Balancing Account: rockymountainpower.net
4. FERC Docket EL25-99-000, Deseret G and T, UAMPS, UMPA v. PacifiCorp (filed July 2, 2025)
5. Rocky Mountain Power PSPS event page (June 26-28, 2026): rockymountainpower.net