

To: The Public Service Commission of Utah
From: The Office of Consumer Services
Michele Beck, Director
Alyson Anderson, Utility Technical Consultant Supervisor

Date: May 28, 2026
Subject: Docket 26-2666-01

In the Matter of: Application of Corix Utah City Heating and Cooling LLC to Establish a Thermal Tariff with Rates and Terms of Service. Corix Utah City Heating and Cooling LLC's Request to Establish Interim Rates.

INTRODUCTION

On May 4, 2026, Corix Utah City Heating and Cooling LLC ("Corix") filed an Application to Establish a Thermal Tariff with Rates and Terms of Service and on May 6, 2026, Corix filed a Request to Establish Interim Rates with the Public Service Commission of Utah ("PSC"). On May 15, 2026, the PSC issued a Scheduling Order, Notice of Hearing on Interim Rates, and Notice of Hearing on General Rate Case ("GRC") establishing that interested parties may submit initial comments May 28, 2026, and reply comments June 5, 2026. The Office of Consumer Services ("OCS") provides the following initial comments pursuant to that schedule.

OCS COMMENTS

Corix is a greenfield utility and was recently granted a certificate of public convenience and necessity ("CPCN") by the PSC on February 2, 2026. The CPCN is conditioned on Corix providing documents supporting its authority to construct and operate the system and adoption of an "acceptable regulatory framework in the forthcoming rate design and terms of service docket that protects just and reasonable rates and service quality standards and recourse for the ultimate end users of the UCDEU system (tenants)."¹ On March 13, 2026 Corix filed an

¹ Docket No. 25-2666-01, PSC Order, February 2, 2026, pg. 9-10.



initial list of required approvals with the PSC and committed to filing “additional approvals and related materials...as they are obtained.”² The issue of just and reasonable rates and service quality standards and end user protections will be addressed during the adjudication of this general rate case docket.

Utah Code §54-7-12(4)(a), allows a utility to request interim rates within 90 days following a complete filing for a general rate increase and the PSC may allow interim rates subject to refund or surcharge. The statute points out that in an interim rate hearing “the evidence presented...need not encompass all issues that may be considered in a rate case” but simply establish a prima facie case that the interim rates are justified.

Corix does not yet have PSC approved base rates or terms and conditions. Thus, Corix is requesting to establish interim rates and terms and conditions for service beginning August 2026 until the adoption of final base rates and terms and conditions are authorized by the PSC. Absent interim rates, Corix will be unable to recover “operating costs, energy supply costs, service debt or establish necessary reserves”³ while the GRC is pending.

In this particular instance, the OCS believes that the request for interim rates is justified. The OCS agrees with Corix that PSC approval of these interim rates does not “set a precedent for adjudication of the request to establish rates in the GRC Application.”⁴ As a first of its kind Heat Corporation Utility without PSC approved base rates or terms and conditions Corix would be unable to meet the August 2026 service date and would not be able to provide service until the completion of the GRC. The OCS intends to continue to participate in the GRC to ensure that the information packages provided to end users are transparent and comprehensive, as well as the allocation of costs to end users is fair and cost causative.

RECOMMENDATION

The OCS supports Corix’s request for interim rates given the specific facts and circumstances of this first general rate case.

cc:

Errol South, Corix

Allan McGavin, Corix

Phillip J Russel, James Dodge Russell & Stephens, P.C.

Chris Parker, Division of Public Utilities

Service List

² Ibid., Corix First Compliance Filing of Required Approvals, March 13, 2026.

³ Docket No. 26-2666-01, Corix Request to Establish Interim Rates, May 6, 2026, pg. 4.

⁴ Ibid, pg. 5.