

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF ROCKY MOUNTAIN</b>	)	<b>CASE NO. PAC-E-22-04</b>
<b>POWER'S APPLICATION TO UPDATE</b>	)	
<b>ELECTRICAL SERVICE REGULATION NO.</b>	)	
<b>13 – CURTAILMENT PLAN FOR ELECTRIC</b>	)	<b>ORDER NO. 35416</b>
<b>ENERGY</b>	)	
	)	

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On February 22, 2022, Rocky Mountain Power (“Company”), a division of PacifiCorp, applied for authority to update Electric Service Regulation No. 13, Curtailment Plan for Electric Energy (“Curtilment Plan”). The Company requested its Application be processed by Modified Procedure with an effective date of June 1, 2022.

On March 10, 2022, the Commission issued a Notice of Application and Notice of Modified procedure establishing public comment and Company reply deadlines. Order No. 35342. On April 27, 2022, Staff submitted the only comments filed in the case.

Having reviewed the record in this case, we issue this Order approving the Company’s Application.

**APPLICATION**

In November 1993, the Commission ordered all electric service suppliers operating in the State of Idaho to file individual curtailment plans with the Commission pursuant to *Idaho Code* § 61-531 *et. seq.*, to deal with electric service curtailment during periods of prolonged energy shortage. Order No. 25259.

In June 2015, the Company revised its Curtailment Plan to: (a) include new provisions relating to demand-side management (“DSM”) and emergency load shed groups; (b) remove financial penalties; and (c) clarify what types of entities could initiate load curtailment. Application at 2. The Company’s Curtailment Plan consists of five stages. *Id.* at 3.

The Company stated that the primary purpose of its Application was to update its Curtailment Plan to remove the interruptible load from the Stage 1 Mandatory curtailment option. *Id.* at 4. The Company stated it had recently entered a new contract with a large industrial customer resolving the curtailment terms of the customer’s energy service agreement (“ESA”). *Id.* at 4. The large industrial customer previously had a contract with the Company under which the Company could curtail the supply of electricity to this customer under Stage 1 of the Curtailment Plan during

emergency load curtailment events. *Id.* at 4. In exchange for agreeing to mandatory curtailment during emergency events in Stage 1 under the previous contract, the large industrial customer received a “system integrity credit” on its monthly bill. *Id.* at 4. The Company stated because the new contract with the large industrial customer did not include a system integrity clause, the Stage 1 mandatory curtailment was no longer applicable to the customer. *Id.* at 4.

Accordingly, the Company sought to revise the Curtailment Plan to: (1) remove the reference to “interruptible customer load shed” in Stage 1; (2) remove a section subtitled “Interruptible Loads” in Section IV of the Curtailment Plan; and (3) make other minor edits, including replacing the reference to the “Peak Regional Reliability Coordinator” with the “RC West Regional Reliability Coordinator” and correcting the reference to the Commission. *Id.* at 5.

### STAFF COMMENTS

Staff noted that the Commission considers the following factors in acting upon a curtailment plan: (1) the consistency of the plan with the public health, safety, and welfare; (2) the technical feasibility of implementation of the plan; and (3) the effectiveness with which the plan minimizes the impact of any curtailment. *See Idaho Code* § 61-532. Staff believed the proposed revisions to the Curtailment Plan satisfied the relevant statutory requirements.

Staff noted that Bayer Corporation (“Bayer”) was the large interruptible customer the Company sought to remove from the Stage 1 category.<sup>1</sup> Staff Comments at 2. Staff noted that during the settlement negotiations in Case No. PAC-E-21-07, the Company filed an updated ESA.<sup>2</sup> *Id.* at 3. Staff stated that the Company included Mike Veile’s pre-filed testimony in Case No. PAC-E-21-07 which indicated the system integrity curtailment product had been eliminated in the updated ESA. *Id.*

Staff noted the Commission’s finding in Order No. 35277 that the value of the Bayer curtailment product described in the updated ESA was reasonable and valuable to the Company’s Idaho customers. As such, Staff understood and supported the Company’s update to the Curtailment Plan to reflect the terms of the updated ESA with Bayer in Case No. PAC-E-21-07.

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<sup>1</sup> *See* Case No. PAC-E-21-07.

<sup>2</sup> The updated ESA is attached to the direct testimony of Mike Veile in Case No. PAC-E-21-07 as Exhibit 301.

### ***Curtailment Notification Procedures***

Staff reviewed the procedures the Company used to notify state regulatory and reliability authorities of curtailment or interruption periods. Staff believed that, aside from the process used to notify the Commission, those procedures were sufficient.

Staff noted that in the process of updating its Curtailment Plan, the Company did not solicit additional input from those directly impacted by curtailment. Staff believed it would be beneficial if the Company met with stakeholders impacted by curtailment and solicited their input before the next Curtailment Plan update.

In sum, Staff recommended: (1) the Commission approve the updated Curtailment Plan; (2) that the Company solicit input from stakeholders in developing future updates to its Curtailment Plan; and (3) the Company meet with Staff to review and update the notification procedures it uses to notify the Commission in the curtailment process.

### **COMMISSION DISCUSSION AND FINDINGS**

The Commission has jurisdiction over this matter under Title 61 of the Idaho Code. The Company is an electrical corporation and public utility. *Idaho Code* §§ 61-119 and -129. The Commission is empowered to investigate rates, charges, rules, regulations, practices, and contracts of public utilities and to determine whether they are just, reasonable, preferential, discriminatory, or in violation of any provision of law, and to fix the same by order. *Idaho Code* §§ 61- 501, -502 and -503. *Idaho Code* § 61-532 requires the Commission to act upon curtailment plans submitted by utilities by either adopting or rejecting the plans. Having reviewed the record, including the Company's updated Curtailment Plan, we hereby approve the Company's Application.

We find that updated curtailment plans are critical to ensuring reliable service to customers, especially in times when transmission across the west is more constrained during periods of peak demand. We also find that utilities having updated curtailment plans is in the public interest. We direct the Company to work with Staff and interested entities who might be affected during curtailment events in developing future updates to its Curtailment Plan. We also find the recommendation that the Company continue to work with Staff in reviewing and updating the notification procedures contained in the Curtailment Plan to be reasonable.

**ORDER**

IT IS HEREBY ORDERED that the Company's Application is approved as filed.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order about any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code* § 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 25<sup>th</sup> day of May 2022.



ERIC ANDERSON, PRESIDENT

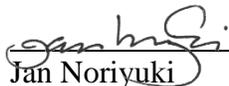


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND, JR., COMMISSIONER

ATTEST:



Commission Secretary

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