

BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING

IN THE MATTER OF THE AMENDED APPLICATION OF ROCKY MOUNTAIN POWER FOR AUTHORITY TO INCREASE CURRENT RATES BY \$9.96 MILLION TO RECOVER DEFERRED NET POWER COSTS UNDER TARIFF SCHEDULE 95 ENERGY COST ADJUSTMENT MECHANISM AND TO DECREASE CURRENT RATES BY \$132 THOUSAND UNDER TARIFF SCHEDULE 93, REC AND SO2 REVENUE ADJUSTMENT MECHANISM

**DOCKET NO. 20000-558-EM-19
(RECORD NO. 15236)**

JOINT NOTICE OF NO CONTEST

Filed: August 15, 2019

Rocky Mountain Power (“RMP”) and the Wyoming Industrial Energy Consumers (“WIEC”) (WIEC together with RMP, the “Parties”), hereby give notice that the Application and supporting direct testimony and work papers of RMP witnesses (“Filing”), discovery responses, and subsequent discussions adequately address WIEC’s concerns with the Filing. The Parties wish to inform the Wyoming Public Service Commission (the “Commission”) that the evidentiary hearing discussed during the Scheduling Conference in this Docket is no longer necessary, as further described below.

Procedural History

RMP filed its Application in this matter on April 15, 2019 with supporting *Direct Testimony and Exhibits of Michael G. Wilding, Terrell H Spackman, Mary M. Wiencke, and Robert M. Meredith.*

RMP filed its Petition for Confidential Treatment and Protective Order on April 15, 2019.

WIEC filed its Petition to Intervene on May 6, 2019.

RMP filed corrections to its Application on May 7, 2019.

The Commission issued a Notice of Amended Application on May 10, 2019.

The Commission approved Rates on an Interim Basis at an open meeting on June 13, 2019.

The Commission issued its Order Authorizing Intervention (WIEC’s) on June 17, 2019.

The Commission issued its Order Granting RMP’s Petition for Confidential Treatment and Protective Order on June 17, 2019.

WIEC filed its Notice of Request for Hearing on July 1, 2019.

The Commission issued a Notice of Scheduling Conference on July 3, 2019.

A Scheduling Conference was held July 12, 2019. Subsequently, on July 18, 2019, during the Scheduling Conference held in Docket No. 20000-560-EA-19, the Parties discussed a schedule in this Docket that was to track the same schedule in Docket No. 20000-560-EA-19 (Record No. 15240), including holding an evidentiary hearing beginning November 12, 2019.

Though it was agreed that the procedural schedule in this proceeding would track the procedural schedule in Docket No. 20000-560-EA-19, the Commission has not issued a scheduling order in this Docket yet.

Motion

WIEC, the only intervenor in the docket, intervened to conduct discovery and to further investigate the Filing and its intervention gave its expert adequate time to conduct its investigation.

Based on this investigation, WIEC has concluded that no further protest in this case is warranted and has no contested issues to bring before the Commission.

In consideration of the initial filing, the subsequently filed corrections, and information gathered in discovery, WIEC no longer seeks a hearing in this matter. The Parties request that the Commission no longer issue a scheduling order in this Docket as discussed during the Scheduling Conference held July 12, 2019. Instead, the Parties request that the Commission place this Docket on an Open Meeting agenda at the Commission's convenience and consistent with any and all public notice requirements.

If the Commission approves this motion, WIEC may choose to offer comments at the Open Meeting, but will not object to approval of the Application. If the Commission chooses to deny this Motion, the Parties will participate in a manner consistent with this Notice and Motion.

General Terms


The Parties agree that RMP will true-up any estimates or adjustments that would have been trued-up in this case in RMP's 2020 ECAM application to be filed on or about April 15, 2020, and that the actual amounts will either be credited or added to the amounts to be credited or sur-charged thereunder. The Parties agree, recommend and request that the interim rates currently in effect in this case be made final.

The Parties agree and acknowledge that the execution of this Joint Notice and Motion shall not be deemed to constitute an acknowledgement of the validity or invalidity of any particular method, theory or principle of ratemaking or regulation, and no Party shall be deemed to have agreed that any principle, method or theory of regulation employed in arriving at this Joint Notice and Motion is appropriate for resolving any issue in any other proceeding. The execution of the Joint Notice and Motion shall not constitute the basis for estoppel or waiver in future proceedings by any Party. Furthermore, no Party hereafter shall be deemed to be bound by

any position asserted by any Party, and no finding of fact or conclusion of law other than those expressly stated herein shall be deemed to be implicit in this Joint Notice and Motion.

Respectfully submitted this 15th day of August, 2019.

ROCKY MOUNTAIN POWER

By: 

Yvonne Hogle
Assistant General Counsel
Rocky Mountain Power
1407 W. North Temple, Suite 320
Salt Lake City, UT 84116
yvonne.hogle@pacificorp.com

**WYOMING INDUSTRIAL ENERGY
CONSUMERS**

By: 

Abigail Briggerman
Holland & Hart LLP
555 17th St. Suite 3200
Denver, CO 80202
acbriggerman@hollandhart.com

CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2019, I caused to be served via email a true and correct copy of the foregoing document to the following:

Wyoming Industrial Energy Consumers	
Abigail C. Briggerman (C) Holland & Hart LLP 555 Seventeenth Street, Suite 3200 Denver, CO 80202 ACBriggerman@hollandhart.com	Austin Rueschhoff (C) Holland & Hart LLP 555 Seventeenth Street, Suite 3200 Denver, CO 80202 darueschhoff@hollandhart.com
Hannah M. Oakes (C) Holland & Hart LLP 555 Seventeenth Street, Suite 3200 Denver, CO 80202 hmoakes@hollandhart.com	aclee@hollandhart.com glgargano-amari@hollandhart.com
Rocky Mountain Power	
Stacy Splittstoesser Wyoming Regulatory Affairs Manager Rocky Mountain Power 315 W. 27 th St. Cheyenne, WY 82001 stacy.splittstoesser@pacificorp.com datarequest@pacificorp.com	Yvonne Hogle Assistant General Counsel Rocky Mountain Power 1407 W. North Temple, Suite 320 Salt Lake City, UT 84116 yvonne.hogle@pacificorp.com



Katie Savarin
Coordinator, Regulatory Operations