

Community Renewable Energy Agency Board

Special Meeting Agenda

Public Notice is hereby given that the Community Renewable Energy Agency Board will assemble in a special public meeting on July 14th, 2025, at the Millcreek City Hall located at 1330 East Chambers Avenue (3205 South), 84106 Millcreek UT, commencing at 1:00 p.m. The Board will convene in an electronic meeting. Board members may participate from remote locations. Board members will be connected to the electronic meeting by GoToMeeting, Zoom or telephonic communications. The anchor location will be Millcreek City Hall. Members of the public who are not physically present at the anchor location may attend the meeting remotely by electronic means at <https://global.gotomeeting.com/join/890138285>.

SPECIAL MEETING of the Board:

1. Welcome, Introduction and Preliminary Matters

- 1.1 Purpose and overview of meeting
- 1.2 Current participation percentages included in Board packet

2. Business Matters

- 2.1 Overview of anticipated Public Service Commission process for the Utah Renewable Communities Program Application, Docket No: 25-035-06 *Application of Rocky Mountain Power to Implement Community Clean Energy Program Authorized by the Community Clean Energy Act*
- 2.2 Public Comments

Audience members may bring any item to the Board's attention. Comments are subject to the Public Comment Policy and Procedure set forth below.

- 2.3 Closed Session (if needed): the Board may convene in a closed session to discuss items as provided by Utah Code Ann. §52-4-205
- 2.4 Discussion and consideration of Resolution 25-08 Resolution of the Board Regarding Additional Program Design Recommendations
- 2.5 Board member comments

3. Adjournment

In accordance with the Americans with Disabilities Act, the Board will make reasonable accommodation for participation in the meeting. Individuals may request assistance by contacting adainfo@millcreek.us at least 48 hours in advance of the meeting.

Public Comment Policy and Procedure: The purpose of public comment is to allow citizens to address items on the agenda. Citizens requesting to address the Board may be asked to complete a written comment form and present it to the Millcreek City Recorder. In general, the Chair will allow an individual two minutes to address the Board. At the conclusion of the citizen comment time, the Chair may direct staff or Board members to assist the citizen on the issue presented; direct the citizen to the proper entity; or take no action. This policy also applies to all public hearings. Citizens may also submit written requests (outlining their issue) for an item to be considered at a future council meeting. The Chair may place the item on the agenda under citizen comments; direct staff or Board members to assist the citizen; direct the citizen to the entity; or take no action.

THE UNDERSIGNED HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS EMAILED OR POSTED TO:

Millcreek City Hall

Utah Public Notice Website

<http://pmn.utah.gov>

DATE: 7/11/25

Emily Quinton

Alex Wendt

Note agenda items may be moved in order, sequence, and time to meet the needs of the Board.

This meeting will be live streamed via <https://millcreek.us/373/Meeting-Live-Stream>.

Participation Percentages

Community Renewable Energy Agency Board

Date Deemed Withdrawn	Listed Entities or Prospective Parties:	Phase 1 Initial Payments (Schedule 1, column D)	Phase 1 Anchor Payment Max (Schedule 2, column D)	Phase 2 Initial Payments (Schedule 1, column E)	Phase 2 Anchor Payment Max (Schedule 2, column G)	Weighted Votes Occuring After MONTH, DAY YEAR							
						Aggregate Total of Actual Phase 1 Initial, Phase 1 Anchor, and Phase 2 Initial Payments	Phase 2 Anchor Proportionate Shares, based on Max Anchor Payments	Phase 2 Remaining Balance Distributed Proportionally Among Anchors (Phase 2 Anchor Payment)	Prospective Party Payments Authorized by Resolution 24-05	Total Phase 1 and 2 and Prospective Party Payments as of Meeting Date Above	Participation Percentage for Weighted Votes After MM-DD-YYYY	Yes vote on Resolution XX-XX Weighted Vote?	Total Yes Percentage on Resolution XX-XX
	Grand County	2,109.37	3,110.81	2,109.37	3,110.81	\$ 6,364.78	1.49%	\$ 1,692.07		\$ 8,056.85	1.12%		0.00%
	Salt Lake County	11,570.26		11,570.26		\$ 23,140.52	0.00%	\$ -		\$ 23,140.52	3.21%		0.00%
	Summit County	10,759.97	15,868.33	10,759.97	15,868.33	\$ 32,466.94	7.61%	\$ 8,631.28		\$ 41,098.22	5.69%		0.00%
	Town of Alta	218.93		218.93		\$ 437.86	0.00%	\$ -		\$ 437.86	0.06%		0.00%
	Bluffdale City	11,088.57		11,088.57		\$ -	0.00%	\$ -		\$ -	0.00%		0.00%
	Town of Castle Valley	106.74	157.42	106.74	157.42	\$ 322.08	0.08%	\$ 85.63		\$ 407.71	0.06%		0.00%
	Coalville City	562.99		562.99		\$ 1,125.98	0.00%	\$ -		\$ 1,125.98	0.16%		0.00%
	Cottonwood Heights	10,942.10		10,942.10		\$ 21,884.20	0.00%	\$ -		\$ 21,884.20	3.03%		0.00%
	Emigration Canyon Township	456.22		456.22		\$ 912.44	0.00%	\$ -		\$ 912.44	0.13%		0.00%
	Francis City	421.54		421.54		\$ 843.08	0.00%	\$ -		\$ 843.08	0.12%		0.00%
	City of Holladay	9,387.72		9,387.72		\$ 18,775.44	0.00%	\$ -		\$ 18,775.44	2.60%		0.00%
	Kamas City	743.49		743.49		\$ -	0.00%	\$ -		\$ -	0.00%		0.00%
	Kearns	9,606.01		9,606.01		\$ 19,212.02	0.00%	\$ -		\$ 19,212.02	2.66%		0.00%
	Moab City	2,237.95	3,300.43	2,237.95	3,300.43	\$ 6,752.75	1.58%	\$ 1,795.21		\$ 8,547.96	1.18%		0.00%
	Midvale City								\$ 21,884.20	\$ 21,884.20	3.03%		
	Millcreek	18,421.40	27,167.05	18,421.40	27,167.05	\$ 55,584.39	13.03%	\$ 14,777.00		\$ 70,361.39	9.75%		0.00%
	Oakley City	520		520		\$ 1,040.00	0.00%	\$ -		\$ 1,040.00	0.14%		0.00%
	Ogden City	35,737.26		35,737.26		\$ 71,474.52	0.00%	\$ -		\$ 71,474.52	9.90%		0.00%
	City of Orem	31,019.52		31,019.52		\$ -	0.00%	\$ -		\$ -	0.00%		0.00%
	Park City	6,742.38	9,943.35	6,742.38	9,943.35	\$ 20,344.33	4.77%	\$ 5,408.50		\$ 25,752.83	3.57%		0.00%
	Salt Lake City	101,050.33	149,024.48	101,050.33	149,024.48	\$ 304,907.42	71.45%	\$ 81,059.05		\$ 385,966.47	53.47%		0.00%
	Town of Springdale	481.26		481.26		\$ 962.52	0.00%	\$ -		\$ 962.52	0.13%		0.00%
	West Jordan City	37,916.77		37,916.77		\$ -	0.00%	\$ -		\$ -	0.00%		0.00%
	West Valley City	47,899.22		47,899.22		\$ -	0.00%	\$ -		\$ -	0.00%		0.00%
		350,000.00	208,571.87	350,000.00	208,571.87	586,551.27	100.00%	113,448.73		\$ 721,884.20	100%		0.00%

What is the Utah Public Service Commission and what does it have to do with the Utah Renewable Communities Program?

“The Public Service Commission of Utah (the Commission) is an independent agency. It is responsible for setting rates and tariffs for public utilities in Utah. The Commission also evaluates utility resource plans, assesses the reliability and quality of utility service, responds to customer complaints and addresses other requests related to the public utilities it regulates. The Commission balances lack of market competition produced by certificated monopoly providers of electricity, natural gas, water, sewer, and telecommunications by regulating utility rates and services¹.”

H.B.411 The Community Renewable Energy Act enacted in the Public Utilities Code outlines the role and rulemaking authority of the Commission in approving a community renewable energy program (the URC Program). **The URC Program must be approved by the commission under Section 54-17-904.** To do so, the “Program Application” must be filed by Rocky Mountain Power (RMP) with the Commission seeking approval of the Program. When the Application is filed, the Commission will open a “Docket” where all filings related to the Application will be kept.

Please note that statutory language uses the term community renewable energy program while the public facing branding of our efforts is Utah Renewable Communities.

What to Expect of the Commission Proceedings

The Commission proceeding to consider the Program Application is a formal proceeding in which the Commission will consider all evidence submitted and issue a ruling either approving or denying the request for relief in the Application. RMP is expected to file testimony in connection with the Application that supports Commission approval of the Application.

Once the Application is filed with the Commission, the Commission will likely publish a Notice giving the public notice that the application was filed. The Commission will then set a scheduling conference, generally a week or two later. Prior to the Scheduling Conference, the parties to the docket will initiate an email discussion of an appropriate schedule for the matter and will then present the proposal to the Commission at the scheduling conference. Parties who have an interest in the docket typically attend the scheduling conference to address the schedule. The parties to the docket to consider the Application will be RMP, the Division of Public Utilities (the Division), the Office of Consumer Services (the Office), the URC Board (the Agency), each URC participating community, and interested interveners (such as clean energy advocates).

After the scheduling conference the Commission will issue a Scheduling Order which will identify deadlines for discovery and for parties to file testimony, which will proceed in several rounds, including direct, rebuttal, and surrebuttal testimony that will permit all parties to respond to the testimony of all other parties. The Scheduling Order will also set the date for a hearing, usually several months after the Scheduling Order, to allow all parties sufficient time to conduct discovery and develop testimony.

¹ State of Utah 2023, Public Service Commission website, accessed November 11, 2023, <<https://psc.utah.gov>>

**Utah Renewable Communities Board Resource:
What happens at the Public Service Commission?**



A hearing date and completion date as early as possible will be sought while allowing sufficient time for the Commission, the Division, the Office, RMP, the Agency, and stakeholders to adequately review and respond to the application.

The Commission may also set one or more technical conference(s), which will allow the parties and the Commission to meet directly to discuss various aspects of the Application. The technical conference provides the opportunity for the Commission and parties to ask technical questions and for all parties to gain a better understanding of the entire application and to identify where disputes might arise. Ultimately, technical conferences allow stakeholders to interact with Commissioners and lead to better-informed discussions during the docket proceedings. We expect the Commission to schedule at least one technical conference due to the complexity and uniqueness of our Program Application. RMP, the Agency, and/or communities may be asked to conduct presentations about certain aspects of the Program Application that need more explanation.

If there is public interest, a public comment period could be scheduled during the Scheduling Conference. If requested and scheduled, members of the public could come and address the Commission directly, rather than through representatives of the communities or agencies. A public hearing may be desirable if negative public comment is anticipated. Since all communities are parties to the filing, all would have the opportunity to respond to public comments and to whatever is presented to the Commission.

Each community is a party to the docket per the Community Renewable Energy Act and as required by Commission Rules. As such, each community will be expected to respond to discovery requests if asked to do so. It is likely that discovery requests will be directed to the URC Board who will either respond directly or submit them to individual communities to provide a response if the request seeks information from an individual community. Most of the discovery requests will likely be aimed at RMP because RMP is the party with the most information and is the party filing the Application.

All witness testimony filed with the Commission before the hearing are typically adopted during the hearing to shorten the proceedings while maintaining a written record available to the public. Pre-filing makes all documents and records available in advance of the hearing and gives everyone time to prepare cross-examination questions. The Commission docket will be open to the public and all documents other than those marked confidential by the parties will be accessible through the Commission's website. The Commission provides an audio stream of hearings from the Commission's YouTube streaming page. Any discussion of confidential material will not be open to the public.

Following the hearing, the Commission will issue an order approving or denying the Application. The Commission may issue an order declining to establish a Program as described in the Application, or an order requiring material modifications to the Program as described in the Application that are not acceptable to Company or Agency, each in its sole discretion.

If the Commission declines to approve the Application, the Utility Agreement will terminate with respect to all Parties and all future obligations of the Parties under the Agreement (other than the provisions which by their terms are intended to survive the termination of this Agreement) shall be terminated without further liability of any Party. Under no circumstances shall any Party have any liability to any other Party due to a Commission order denying the Application.

**Utah Renewable Communities Board Resource:
What happens at the Public Service Commission?**



Summary of Expected steps

- Program Application Filed at Public Service Commission by Rocky Mountain Power
- Docket Number and Hearing Officer Assigned
- Public Notice filed to notify public
- Notice of Scheduling Conference
- Scheduling Conference – parties discuss proposed schedule with Commission
- Commission issues Scheduling Order that may include any or all of the following deadlines:
 - Interventions
 - Technical Conference
 - Testimony – Direct, Rebuttal, and Surrebuttal
 - Discovery
 - Commission Hearing – witness testimony with cross examination
 - Public Hearing – public may address Application with Commission
- Commission Order
- Motions to reconsider/appeals or compliance filings

This URC board resource is based on a presentation provided to the board by Phil Russell in February 2023. A recording of that presentation is [available online](#), starting at the 53:10.

THE COMMUNITY RENEWABLE ENERGY BOARD
RESOLUTION NO. 25-08

**A RESOLUTION OF THE BOARD REGARDING ADDITIONAL PROGRAM DESIGN
RECOMMENDATIONS**

WHEREAS, the Community Renewable Energy Board (“Board”) met in a special meeting on July 14, 2025 to consider, among other things, a resolution of the Board regarding additional program design recommendations; and

WHEREAS, in 2019, the Utah State Legislature enacted House Bill 411, codified at Utah Code §§ 54-17-901 through 909 (“Act”), titled the “Community Renewable Energy Act”; and

WHEREAS, in 2024, the Utah State Legislature enacted House Bill 241 and Senate Bill 214 which, collectively, renamed the Act the “Community Clean Energy Act” and amended certain provisions of the Act; and

WHEREAS, the Act authorizes the Public Service Commission of Utah (“Commission”) to establish a program (“Program”) whereby qualifying communities may cooperate with qualified utilities to provide electric energy for participating customers (“Participants”) from clean energy resources (“Program Resources”); and

WHEREAS, the Act further authorizes the Commission to adopt administrative rules to implement the Act and the Commission has adopted such rules as set forth in Utah Administrative Code R746-314-101 (“Rules”); and

WHEREAS, the Rules require that a customer of a qualified utility may be served by the Program if, in addition to the requirements of the Act, the community in which the customer resides also adopts an agreement with other eligible communities to establish a decision-making process for Program design, resource solicitation, resource acquisition, and other Program issues and provides a means of ensuring that eligible communities and those that become participating communities will be able to reach a single joint decision on any necessary Program issues; and

WHEREAS, on March 31, 2021 and thereafter, nineteen communities entered into such an agreement, entitled the Interlocal Cooperation Agreement Among Public Entities Regarding the Community Renewable Energy Program (“Governance Agreement”), through which each community is a member of the Community Renewable Energy Agency (“Agency”) and holds a seat on the Board which is authorized to make certain joint decisions about the Program; and

WHEREAS, the Governance Agreement stipulates that resource acquisition resulting in “an Incremental Rate Impact of 10% or more” would require a vote of “at least two-thirds (2/3) of all Eligible Communities or Participating Communities, as then applicable, and at least two-thirds (2/3) of the Participation Percentages of all Eligible Communities or Participating Communities, as then applicable”; and

WHEREAS, the Board created a Program Design Committee (“Program Design Committee”) pursuant to Resolution 21-05, in part to “work on program design matters,” “solicit outside consultants, experts, and legal counsel,” and “formulate program design questions/issues for Board consideration and determination”; and

WHEREAS, the Board engaged the law firm James Dodge Russell & Stephens pursuant to Resolution 21-18 to serve as legal counsel on energy and utility matters (“Outside Counsel”); and

WHEREAS, the Act and Rules establish that a qualified utility shall file an application (“Program Application”) with the Commission addressing numerous issues in connection with the design of the Program (“Program Design”); and

WHEREAS, Rocky Mountain Power is the qualified utility with respect to the communities who are members of the Agency and therefore responsible for filing the Program Application; and

WHEREAS, the Board previously approved resolution 25-01, which sets forth the Board’s recommendations with respect to Program Design (“Program Design Resolution”); and

WHEREAS, the Program Design Resolution noted, among other things, that “forward-looking clean energy costs are impacted by inflation, tariffs, interest rates, and an uncertain policy environment, and the only manner of ascertaining such costs is to run a competitive solicitation”; and

WHEREAS, Rocky Mountain Power submitted the Program Application to the Utah Public Service Commission (“Commission”) for review on January 24, 2025 and June 4, 2025 and this matter has been docketed as Docket No. 25-035-06 (“Program Application Docket”); and

WHEREAS, the Commission has ordered a schedule in the Program Application Docket, with Agency testimony due on July 18, 2025; and

WHEREAS, the Program Design Committee now recommends the Board adopt additional Program Design positions to support Agency testimony in the Program Application Docket.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

- 1 If the Commission were to issue an order terminating the Program (“Program Termination Order”), such Program Termination Order should be issued only after a hearing and should address at least the following items:
 - a. evaluate the Program’s remaining reserve funds to determine how many additional months of the Program’s assigned share of any Power Purchase Agreement (“PPA”) costs such reserve funds can cover without supplement;

- b. notify Parties to any Program PPAs that such PPAs will terminate on a date certain when remaining reserve funds are exhausted; and
 - c. notify and unenroll Program participants.
- 2 If Resource Security is required for a clean energy acquisition, such Resource Security should be held in a dedicated resource reserve fund account (“Resource Reserve”), with each Program resource having its own such Resource Reserve. Furthermore, when a Resource Reserve holds sufficient funds to pay for the Program’s assigned share of a PPA over that Program Resource’s remaining term, the Resource Reserve balance may be expended for this purpose until exhausted.
- 3 Because clean energy cost and value have experienced dramatic recent volatility, the Board recognizes that the Program may not be able to acquire enough clean energy to meet its net-100% clean energy target by 2030 while keeping the cost of the Program at no more than \$3 and \$4 per month for the average resident. The Board’s position is that clean energy should continue to be acquired at no more than this target level of cost impact to Program customers until the net-100% clean energy target is achieved, even if later than 2030.
- 4 Board members and alternate Board members may submit testimony in the Program Application Docket on behalf of the Agency in consultation with Outside Counsel and the Program Design Committee, even if such testimony is not specifically approved by the Board, so long as such testimony is not inconsistent with any Board resolution.
- 5 Experts retained by Outside Counsel may submit testimony on behalf of the Agency in consultation with Outside Counsel and the Program Design Committee, even if such testimony is not specifically approved by the Board, so long as such testimony is not inconsistent with any Board resolution.
- 6 Anything set forth in any settlement stipulation agreed to by the Agency does not reflect and cannot be construed as a formal position or recommendation of the Agency without a formal Board resolution authorizing and adopting such position.
- 7 The Board hereby recognizes that final Program rates and charges and other Program Design details will be established by order of the Commission.

This Resolution assigned No. 25-08, shall take effect immediately.

PASSED AND APPROVED by the Board this 14th day of July 2025.

**COMMUNITY RENEWABLE ENERGY
BOARD**

Dan Dugan, Chair

ATTEST:

Emily Quinton, Secretary