

THE COMMUNITY RENEWABLE ENERGY BOARD
RESOLUTION NO. 26-02

**A RESOLUTION OF THE BOARD SELECTING PROJECTS FOR CONTRACT
NEGOTIATION**

WHEREAS, the Community Renewable Energy Board ("Board") met in a regular meeting on February 2nd, 2026, to consider, among other things, the selection of projects for contract negotiation; and

WHEREAS, in 2019, the Utah State Legislature enacted House Bill 411, codified as 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 from clean energy resources; and

WHEREAS, on March 31, 2021, and thereafter, the Community Renewable Energy Agency ("Agency") was formed by nineteen communities pursuant to the Interlocal Cooperation Agreement Among Public Entities Regarding the Community Renewable Energy Program, in part to "establish a decision-making process for Program design, resource solicitation, [and] resource acquisition"; and

WHEREAS, PacifiCorp ("Company"), the parent entity of Rocky Mountain Power, as a qualified utility under the Act, filed an Application for Approval of Solicitation Process ("Application") with the Commission on November 19, 2024; and

WHEREAS, the Commission approved the Application on May 13, 2025; and

WHEREAS, the Board previously adopted Resolution 25-04, approving the publication of a solicitation for Program resources ("Solicitation"), in which the Agency reserved "the right to request an informal study from PacifiCorp transmission to identify potential network upgrade costs that might be necessary for the bidder's facility to be designated as a network resource on PacifiCorp's transmission system" ("Transmission Study"); and

WHEREAS, on May 22, 2025, the Agency issued the Solicitation, in response to which it received several bids from resource bidders; and

WHEREAS, on July 13, 2021, the Board adopted Resolution 21-05, creating a Program Design Committee to act as an advisory body to the Board on issues related to Program design, including resource solicitation, among other duties; and

WHEREAS, the Program Design Committee selected an initial short list of six resource

project bids (“Initial Short List”) from the total pool of bids received in response to the Solicitation for further evaluation and consideration; and

WHEREAS, based upon further evaluation of the Initial Short List, the Program Design Committee selected a final short list of four resource project bids (“Final Short List”); and

WHEREAS, as specified in the Solicitation, “the Agency may select by a vote of its Board one or more project bids for contract negotiation” and the “Company will not enter into any agreement without Agency approval”; and

WHEREAS, as further specified in the Solicitation, “After the Final Short List is established, Company will initiate negotiations with projects from the Final Short List that are selected by the Agency by a vote of its Board,” “Selection of a bid to the Final Short List does not constitute a winning bid,” “Only execution of a definitive agreement between Company and the bidder, on terms acceptable to the Agency and Company, in their sole and absolute discretion, will constitute a winning bid proposal,” and “Neither the Agency nor Company has a legal obligation to enter into any agreement of any kind with any bidder”; and

WHEREAS, the Board now wishes to select project bids from the Final Short List to enter into contract negotiations with the Company; and

WHEREAS, the Board now finds it necessary to request bidders from the Final Short List work with Company to undertake the aforementioned Transmission Study to aid Board in further evaluating the remaining Bids; and

WHEREAS, the Board wishes to select a sufficient number of projects for contract negotiation to help hedge against adverse Transmission Study results or other emergent project limitations such that at least one or more project power purchase agreements can ultimately be executed; and

WHEREAS, the Board intends to hold a future vote to determine which project(s) are ultimately approved for contract execution.

NOW, THEREFORE, BE IT RESOLVED by the Board the following:

The Agency hereby selects the following Final Short List project bids, as identified by their anonymized project names, to enter into contract negotiations with PacifiCorp:

- PV+BESS_2,
- PV+BESS_3,
- PV+BESS_4, and
- PV+BESS_7.

This Resolution assigned No. 26-02, shall take effect immediately.

PASSED AND APPROVED by the Board this 2nd day of February 2026.

COMMUNITY RENEWABLE ENERGY BOARD



Dan Dugan, Chair

ATTEST



Emily Quinton, Secretary