

Community Renewable Energy Agency Board

Meeting Agenda

Public Notice is hereby given that the Community Renewable Energy Agency Board will assemble in a public meeting on October 3, 2022, at the Millcreek City Hall located at 3330 South 1300 East 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>.

REGULAR 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 Approval of September 12, 2022 Board Meeting Minutes
- 2.2 Treasurer Report (year-to-date contributions and expenses)
- 2.3 Reports from committees (Communications, Low-Income Plan, Program Design)
- 2.4 Overview of draft model Ordinance
- 2.5 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.

- 2.6 Board member comments
- 2.7 Closed Session (if needed): the Board may convene in a closed session to discuss items as provided by Utah Code Ann. §52-4-205

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 Kurt Hansen, 801-214-2751, 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: 9/29/22

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

								Weighted Votes Occuring After July 31, 2022						
								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)	Total Phase 1 and 2 Payment Obligations as of Meeting Date Above	Participation Percentage for Weighted Votes After July 31 2022	Yes vote on Resolution XX-XX Weighted Vote?	Total Yes Percentage on Resolution XX-XX
1	7/1/2021		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	1.15%		0.00%
2	10/1/2021		Salt Lake County	11,570.26		11,570.26		\$ 23,140.52	0.00%	\$ -	\$ 23,140.52	3.31%		0.00%
3	7/1/2021		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	5.87%		0.00%
4	7/1/2021		Town of Alta	218.93		218.93		\$ 437.86	0.00%	\$ -	\$ 437.86	0.06%		0.00%
5			Bluffdale City	11,088.57		11,088.57		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%
6	7/1/2021		Town of Castle Valley	106.74	157.42	106.74	157.42	\$ 322.08	0.08%	\$ 85.63	\$ 407.71	0.06%		0.00%
7	4/28/2022		Coalville City	562.99		562.99		\$ 1,125.98	0.00%	\$ -	\$ 1,125.98	0.16%		0.00%
8	7/1/2021		Cottonwood Heights	10,942.10		10,942.10		\$ 21,884.20	0.00%	\$ -	\$ 21,884.20	3.13%		0.00%
9	6/13/2022		Emigration Canyon Township	456.22		456.22		\$ 912.44	0.00%	\$ -	\$ 912.44	0.13%		0.00%
10	8/3/2021		Francis City	421.54		421.54		\$ 843.08	0.00%	\$ -	\$ 843.08	0.12%		0.00%
11	7/1/2021		City of Holladay	9,387.72		9,387.72		\$ 18,775.44	0.00%	\$ -	\$ 18,775.44	2.68%		0.00%
12			Kamas City	743.49		743.49		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%
13	7/13/2021		Kearns	9,606.01		9,606.01		\$ 19,212.02	0.00%	\$ -	\$ 19,212.02	2.74%		0.00%
14	7/1/2021		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	1.22%		0.00%
15	7/1/2021		Millcreek	18,421.40	27,167.05	18,421.40	27,167.05	\$ 55,584.39	13.03%	\$ 14,777.00	\$ 70,361.39	10.05%		0.00%
16	4/28/2022		Oakley City	520		520		\$ 1,040.00	0.00%	\$ -	\$ 1,040.00	0.15%		0.00%
17	7/28/2021		Ogden City	35,737.26		35,737.26		\$ 71,474.52	0.00%	\$ -	\$ 71,474.52	10.21%		0.00%
18			City of Orem	31,019.52		31,019.52		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%
19	7/13/2021		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	3.68%		0.00%
20	7/1/2021		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	55.14%		0.00%
21	7/1/2021		Town of Springdale	481.26		481.26		\$ 962.52	0.00%	\$ -	\$ 962.52	0.14%		0.00%
22			West Jordan City	37,916.77		37,916.77		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%
23			West Valley City	47,899.22		47,899.22		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%
	7/1/2021			350,000.00	208,571.87	350,000.00	208,571.87	586,551.27	100.00%	113,448.73	\$ 700,000.00	100%		0.00%

Community Renewable Energy Agency Board Meeting Minutes

The Community Renewable Energy Agency Board met in a regular public meeting on **Monday, September 12, 2022**, at Millcreek City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106 and participated electronically via GoToMeeting.

PRESENT:

Board Members

In person

Dan Dugan, Chair, *Salt Lake City*
Glenn Wright, *Summit County*
Drew Quinn, *Holladay City*
Christopher Thomas, *Salt Lake City*
Cheri Jackson, *Millcreek*
Samantha DeSeelhorst, *Cottonwood Heights*

Electronic

Randy Aton, *Springdale*
Holly Smith, *Holladay City*
Elissa Martin, *Grand County*
Patrick Schaeffer, *Kearns Metro Township*
Sarah Stock, *Grand County*
Joe Frazier, *Oakley City*
Pamela Gibson, *Castle Valley*
Chris Cawley, *Alta*
Luke Cartin, *Park City*
Ann Granato, *Salt Lake County*
Michael Shea, *Salt Lake County*
Kalen Jones, *Moab*
Jeremy Rubell, *Park City*
Angela Choberka, *Ogden*
David Brems, *Emigration Canyon Township*
Mark Marsh, *Coalville*

In Person Attendees: Kurt Hansen, *Millcreek*; Alex Wendt, *Millcreek*

Electronic Attendees: Monica O'Malley, *Salt Lake City Staff*; Janene Eller-Smith, *Ogden*; Jeremy Shinoda; Sara Montoya, *Salt Lake City Staff*; Sam Owen, *Salt Lake City Staff*; Bob Davis; Eliza Cowie, Zack Darby, Joan Entwistle, Jeff B

Minutes by Alex Wendt, Millcreek Deputy Recorder.

REGULAR MEETING – 1:00 p.m.

TIME COMMENCED: 1:02 p.m.

1. Welcome, Introduction, and Preliminary Matters

1.1 Purpose and Overview of Meeting

1.2 Current Participation Percentages included in Board Packet

Chair Dugan said Board Member Thomas is going to give a small explanation. The new report in the packet is a little different and it factors in the phase 2 payments. The only remaining payments are phase 2 anchor payments. Phase 2 anchor proportionate shares are made by distributing the remaining amount amongst the anchor communities.

2. Business Matters

2.1 Approval of August 1, 2022, Board Meeting Minutes

Board Member Wright moved to approve the August 1, 2022, Board Meeting Minutes. Board Member Quinn seconded. Chair Dugan called for the vote. All Board Members voted yes. The motion passed unanimously.

2.2 Treasurer Report (Year-to-Date Contributions and Expenses)

Chair Dugan said that Board Member Silvestrini could not make it to the meeting.

2.3 Reports From Committees (Program Design, Low-Income Plan, Communications)

Board Member Cawley gave the presentation for the Communication Committee. The Committee met twice in August on the 2nd and 16th. They were focused on hiring a communications firm or consultant. They discussed with Salt Lake City about Salt Lake City hiring their own consultant to do communications work. The tasks for an Agency Consultant include audience building strategy, branding, content, drafting and issuing Agency press releases, and facilitating a “help line” during the program launch period. The Agency budget does not include funding for a consultant. Board Member Cawley said a key decision to make is whether to issue an RFP or hire a firm on a State Cooperative Contract. In 2021, UT 100 Communities board members participated in an event hosted by HEAL Utah and the Sierra Club. The committee is meeting on September 13th. They will continue to explore options about hiring a communications consultant. Board Member Choberka asked about the anticipated timeline for a communication consultant to conduct branding operations. Board Member Cawley said a large determinant of hiring a consultant is if there are funds left to hire them.

Board Member DeSeelhorst gave the update from the Low-Income Plan Committee. She showed a simplified timeline where the Board has passed resolutions and signed the governance agreement. Next up is signing the utility agreement and submitting the program application. There will be one low-income plan for each community. A single application, filed on the behalf of the Agency will be sent by Rocky Mountain Power. The Low-Income Plan Committee was created by Resolution 21-12. The Low-Income Committee wanted to acquire knowledge of the low-income customer base that exists in each community. To support this the committee put together two low-income data resources for each agency. Board Member Thomas explained the Community Profiles for Low-Income Assistance Planning. These estimates are based off surveys conducted by the department of energy. 20.8% of households are listed as below 150% of the federal poverty level. They pay an annual bill of \$641. 79.2% of households are above 150% of the federal poverty level and they pay an annual power bill of \$776. Monica

O'Malley, Salt Lake City Staff spoke about the average energy burden and households that are below 150% of the federal poverty level. These households have a high energy burden. These maps show energy burden by census tract. Board Member Jackson said this map shows 2018 data, do we expect any differences with an update after the pandemic? Ms. O'Malley said they are expecting 2021 data soon. Board Member DeSeelhorst spoke about how the Committee conducted foundational research on the existing low-income programs that are offered to electricity customers. There is the home energy assistance target (a onetime bill credit), Home Electric Lifeline Program (Monthly Bill Credit up to \$13.95), weatherization assistance program (home weatherization funding), and Lend a Hand Program (one-time annual bill credit). While HB 411's language on requirement for low-income plans is broad, it does indicate that communities can't rely on the low-income plans that exists today. To help form plans that meet the requirements for program specific low-income plans and brainstorm ideas for how they might enhance programs that exists and introduce new strategies the Low-Income Plan Committee created a survey for the Board. The Low-Income Plan Committee reviewed the survey responses. These responses fell into three main categories. Programmatic strategies, outreach strategies, and elective strategies. As the committee contemplated the three main categories, they created the concept of a Low-Income Plan Template. The Low-Income Plan Committee has created this template and it will be distributed to all communities at the October Board Meeting for them to add their local information. The programmatic strategies section involves, automatic opt-out, termination fee waiver, enhanced monthly bill credit, and a donation program for low-income customers. This list was formed by speaking with community implementers, state regulators, rocky mountain power, and the Agency itself. Communities do not have to fill out the programmatic strategies section. The Board will vote on Programmatic Strategies and those will be automatically included in the Programmatic Strategies Section of each community's template. At the November Board Meeting, the Agency Board will be presented with the Committee's final recommendation on programmatic strategies.

The Outreach Strategies section has strategies that each community may use to communicate the Program details to low-income customers in their community. The actual techniques will be the same for each community. The Board will provide printed posters that the organization can post in high visibility places. Each community template will be loaded with organizations from their community that they may want to conduct their outreach through. Board Member Choberka asked, do we know if the community members who are enrolled in other programs will be allowed to apply? Board Member DeSeelhorst said that this will be determined in the Program Application, and she hopes that customers will be allowed to do this.

The elective strategies section has any miscellaneous strategies that a community might want to individually deploy to support their low-income populations. Communities may determine what, if any, strategies they would like to include from the elective strategies section. Board Member Jones asked if there is an estimate for when opt-out notices will be sent. Board Member DeSeelhorst said that they would be sent after the Program is adopted by ordinance. Board member Thomas explained the short answer is it depends. If the Program must bring a new resource online then it will take longer, if not then it will be shorter.

Board Member Thomas gave the update from the Program Design Committee. The Committee met four times in August. They held two meetings with Rocky Mountain Power to discuss programmatic approaches to low-income assistance and assumptions about customer participation rates. The Program Design Committee circulated a draft model ordinance to Board Members. The draft model ordinance is required to finalize a community's participation in the program. It must be consistent with the utility agreement. This draft of the model ordinance seeks to explain how an eligible customer will interact with the program. It also explains that program rates are determined and may be adjusted by the Utah Public Service Commission (PSC). The ordinance must be adopted within 90 days of program approval by the Utah PSC. The proposed model ordinances must be included in the application program. The ordinances must be consistent with the Utility agreement. The Board must cover for third party expertise for Utah agencies not to exceed \$200,000. This has been budgeted for. Each Community must pay for customer noticing. The draft indicates that unpaid termination fees will be handled as a Program expense not covered by local governments. The draft indicates that there will not be any initially proposed replaced assets. Board Member Drew Quinn asked if there will be an explanation of what a termination fee is. Board Member Thomas said there will be an explanation of termination fees. Board Member Jones asked, could UT100 Community customers participating in Blue Sky designate that their contribution is for resource replacement? Board Member Thomas said he does not believe there is a mechanism for this. Board Member DeSeelhorst said that Blue Sky customers are electing to add to their bills towards the installation of renewable energy projects in their community. Board Member Thomas asked that Board Members share the model ordinance with each council or commission. Board Members will receive an email later this week with two versions of the memo and ordinance, one as a pdf that can be forwarded and one Word document. The Word document can be modified to match the standards required by each council or commission. Next steps include drafting the Utility Agreement and circulating a draft with a written briefing in October. The Utility Agreement will need to be signed by all participating communities. In October expect a written briefing. The Program Design Committee will meet with RMP on September 16th and September 30th.

2.4 Public Comments

There were no comments

2.5 Discussion and Consideration of Resolution 22-08; Resolution of the Board Adopting a Regular Meeting Schedule

Board Member Wright moved to approve Resolution 22-08; Resolution of the Board Adopting a Regular Meeting Schedule. Board Member Jackson seconded. Chair Dugan called for the vote. All Board Members voted yes. The motion passed unanimously.

2.6 Discussion and Consideration of Resolution 22-09; Resolution of the Board Requesting that Millcreek Invoice Anchor Communities for Phase 2 Anchor Payments

Board Member Wright moved to approve Resolution 22-09; Resolution of the Board Requesting that Millcreek Invoice Anchor Communities for Phase 2 Anchor

Payments. Board Member Quinn seconded the motion. Chair Dugan called for the vote. All Board Members voted yes. The motion passed unanimously.

2.7 Board Member Comments

3. Adjournment

Board Member Wright moved to adjourn the meeting at 2:23 p.m. Board Member Quinn seconded. Chair Dugan called for the vote. All Board Members voted yes. The motion passed unanimously.

APPROVED: _____ Date
Dan Dugan, Chair

ATTEST:

Emily Quinton, Secretary

Community Renewable Energy Agency Board

Treasurer's Report for 10/3/22 Meeting

Billing report (p. 1 of 2)

Community Renewable Energy

Billing Report

For Date Range: 09/01/2021 - 09/28/2022

CRE - CRE MEMBERSHIP

Date Billed	Name	Account Name	Amount
9/15/2021	GRAND COUNTY	Membership Fee - Phase I Initial Payment	2,109.37
9/15/2021	SUMMIT COUNTY	Membership Fee - Phase I Initial Payment	10,759.97
9/15/2021	TOWN OF ALTA	Membership Fee - Phase I Initial Payment	218.93
9/15/2021	TOWN OF CASTLE VALLEY	Membership Fee - Phase I Initial Payment	106.74
9/15/2021	COTTONWOOD HEIGHTS	Membership Fee - Phase I Initial Payment	10,942.10
9/15/2021	FRANCIS CITY	Membership Fee - Phase I Initial Payment	421.54
9/15/2021	CITY OF HOLLADAY	Membership Fee - Phase I Initial Payment	9,387.72
9/15/2021	KEARNS	Membership Fee - Phase I Initial Payment	9,606.01
9/15/2021	MOAB CITY	Membership Fee - Phase I Initial Payment	2,237.95
9/15/2021	MILLCREEK	Membership Fee - Phase I Initial Payment	18,421.40
9/15/2021	OGDEN CITY	Membership Fee - Phase I Initial Payment	35,737.26
9/15/2021	PARK CITY	Membership Fee - Phase I Initial Payment	6,742.38
9/15/2021	SALT LAKE CITY	Membership Fee - Phase I Initial Payment	101,050.33
9/15/2021	SPRINGDALE CITY	Membership Fee - Phase I Initial Payment	481.26
10/19/2021	SALT LAKE COUNTY	Membership Fee - Phase I Initial Payment	11,570.26
11/10/2021	GRAND COUNTY	Anchor Payment - Phase I	2,146.04
11/10/2021	SUMMIT COUNTY	Anchor Payment - Phase I	10,947.00
11/10/2021	TOWN OF CASTLE VALLEY	Anchor Payment - Phase I	108.60
11/10/2021	MOAB CITY	Anchor Payment - Phase I	2,276.85
11/10/2021	MILLCREEK	Anchor Payment - Phase I	18,741.59
11/10/2021	PARK CITY	Anchor Payment - Phase I	6,859.57
11/10/2021	SALT LAKE CITY	Anchor Payment - Phase I	102,806.76

Billing report (p. 2 of 2)

4/12/2022 GRAND COUNTY	Membership Fee - Phase II Initial Payment	2,109.37
4/12/2022 SUMMIT COUNTY	Membership Fee - Phase II Initial Payment	10,759.97
4/12/2022 TOWN OF ALTA	Membership Fee - Phase II Initial Payment	218.93
4/12/2022 TOWN OF CASTLE VALLEY	Membership Fee - Phase II Initial Payment	106.74
4/12/2022 COTTONWOOD HEIGHTS	Membership Fee - Phase II Initial Payment	10,942.10
4/12/2022 FRANCIS CITY	Membership Fee - Phase II Initial Payment	421.54
4/12/2022 CITY OF HOLLADAY	Membership Fee - Phase II Initial Payment	9,387.72
4/12/2022 KEARNS	Membership Fee - Phase II Initial Payment	9,606.01
4/12/2022 MOAB CITY	Membership Fee - Phase II Initial Payment	2,237.95
4/12/2022 MILLCREEK	Membership Fee - Phase II Initial Payment	18,421.40
4/12/2022 OGDEN CITY	Membership Fee - Phase II Initial Payment	35,737.26
4/12/2022 PARK CITY	Membership Fee - Phase II Initial Payment	6,742.38
4/12/2022 SALT LAKE CITY	Membership Fee - Phase II Initial Payment	101,050.33
4/12/2022 SPRINGDALE CITY	Membership Fee - Phase II Initial Payment	481.26
4/12/2022 SALT LAKE COUNTY	Membership Fee - Phase II Initial Payment	11,570.26
5/4/2022 COALVILLE CITY	Membership Fee - Phase I Initial Payment	562.99
5/4/2022 OAKLEY CITY	Membership Fee - Phase I Initial Payment	520.00
5/4/2022 COALVILLE CITY	Membership Fee - Phase II Initial Payment	562.99
5/4/2022 OAKLEY CITY	Membership Fee - Phase II Initial Payment	520.00
6/15/2022 EMIGRATION CANYON METRO TOWNSHIP	Membership Fee - Phase I Initial Payment	456.22
6/15/2022 EMIGRATION CANYON METRO TOWNSHIP	Membership Fee - Phase II Initial Payment	456.22
9/27/2022 GRAND COUNTY	Anchor Payment - Phase II	1,692.06
9/27/2022 SUMMIT COUNTY	Anchor Payment - Phase II	8,631.28
9/27/2022 TOWN OF CASTLE VALLEY	Anchor Payment - Phase II	85.62
9/27/2022 MOAB CITY	Anchor Payment - Phase II	1,795.21
9/27/2022 MILLCREEK	Anchor Payment - Phase II	14,777.01
9/27/2022 PARK CITY	Anchor Payment - Phase II	5,408.50
9/27/2022 SALT LAKE CITY	Anchor Payment - Phase II	81,059.05

Total Billed \$ 700,000.00

Revenue report (p. 1 of 2)

Community Renewable Energy

Revenue Receipt Report

For Date Range: 09/01/2021 - 09/28/2022

CRE - CRE MEMBERSHIP

Post Date	Receipt Name	Account Number	Account Name	Amount
9/24/2021	TOWN OF ALTA	701-3450-0000	Membership Fee - Phase I Initial Payment	218.93
9/24/2021	KEARNS -GREATER SALT LAKE MUNICIPAL SERVICES	701-3450-0000	Membership Fee - Phase I Initial Payment	9,606.01
9/24/2021	TOWN OF CASTLE VALLEY	701-3450-0000	Membership Fee - Phase I Initial Payment	106.74
9/27/2021	CITY OF HOLLADAY	701-3450-0000	Membership Fee - Phase I Initial Payment	9,387.72
9/27/2021	SUMMIT COUNTY	701-3450-0000	Membership Fee - Phase I Initial Payment	10,759.97
9/29/2021	COTTONWOOD HEIGHTS	701-3450-0000	Membership Fee - Phase I Initial Payment	10,942.10
9/30/2021	MILLCREEK	701-3450-0000	Membership Fee - Phase I Initial Payment	18,421.40
10/4/2021	CITY OF MOAB	701-3450-0000	Membership Fee - Phase I Initial Payment	2,237.95
10/4/2021	OGDEN CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	35,737.26
10/4/2021	SALT LAKE CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	101,050.33
10/8/2021	FRANCIS CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	421.54
10/8/2021	TOWN OF SPRINGDALE	701-3450-0000	Membership Fee - Phase I Initial Payment	481.26
10/28/2021	PARK CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	6,742.38
11/10/2021	GRAND COUNTY	701-3450-0000	Membership Fee - Phase I Initial Payment	2,109.37
11/23/2021	PARK CITY	701-3450-0000	Anchor Payment - Phase I	6,859.57
11/23/2021	SUMMIT COUNTY	701-3450-0000	Anchor Payment - Phase I	10,947.00
11/23/2021	SALT LAKE CITY	701-3450-0000	Anchor Payment - Phase I	102,806.76
11/29/2021	MILLCREEK	701-3450-0000	Anchor Payment - Phase I	18,741.59
11/29/2021	TOWN OF CASTLE VALLEY	701-3450-0000	Anchor Payment - Phase I	108.60
11/29/2021	CITY OF MOAB	701-3450-0000	Anchor Payment - Phase I	2,276.85
12/7/2021	SALT LAKE COUNTY	701-3450-0000	Membership Fee - Phase I Initial Payment	11,570.26
2/17/2022	GRAND COUNTY	701-3450-0000	Anchor Payment - Phase I	2,146.04
4/18/2022	COTTONWOOD HEIGHTS	701-3450-0000	Membership Fee - Phase II Initial Payment	10,942.10
4/21/2022	KEARNS -GREATER SALT LAKE MUNICIPAL SERVICES	701-3450-0000	Membership Fee - Phase II Initial Payment	9,606.01
4/21/2022	TOWN OF ALTA	701-3450-0000	Membership Fee - Phase II Initial Payment	218.93
4/25/2022	TOWN OF CASTLE VALLEY	701-3450-0000	Membership Fee - Phase II Initial Payment	106.74
4/25/2022	PARK CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	6,742.38

Revenue report (p. 2 of 2)

5/2/2022 SUMMIT COUNTY	701-3450-0000	Membership Fee - Phase II Initial Payment	10,759.97
5/10/2022 GRAND COUNTY	701-3450-0000	Membership Fee - Phase II Initial Payment	2,109.37
5/19/2022 OAKLEY CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	520.00
6/1/2022 COALVILLE CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	562.99
6/1/2022 SPRINGDALE CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	481.26
6/21/2022 SALT LAKE COUNTY	701-3450-0000	Membership Fee - Phase II Initial Payment	11,570.26
6/27/2022 EMIGRATION CANYON METRO TOWNSHIP	701-3450-0000	Membership Fee - Phase I Initial Payment	456.22
6/27/2022 EMIGRATION CANYON METRO TOWNSHIP	701-3450-0000	Membership Fee - Phase II Initial Payment	456.22
7/7/2022 MILLCREEK	701-3450-0000	Membership Fee - Phase II Initial Payment	18,421.40
7/19/2022 SALT LAKE CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	101,050.33
7/27/2022 OGDEN CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	35,737.26
7/27/2022 CITY OF HOLLADAY	701-3450-0000	Membership Fee - Phase II Initial Payment	9,387.72
7/29/2022 COALVILLE CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	562.99
7/29/2022 FRANCIS CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	421.54
7/29/2022 CITY OF MOAB	701-3450-0000	Membership Fee - Phase II Initial Payment	2,237.95
8/8/2022 OAKLEY CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	520.00

Total Received \$ 586,551.27

Accounts payable report:

Community Renewable Energy

Accounts Payable Report

For Date Range: 09/01/2021 - 09/28/2022

Post Date	Vendor	Account Number	Account Name	Amount
12/21/2021	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	2,425.50
1/25/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	5,184.00
3/8/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	6,615.00
3/29/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	15,481.35
4/12/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	23,526.27
6/21/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	20,222.91
6/30/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	6,242.87
8/9/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	9,643.00
Total Paid \$				<u>89,340.90</u>

Agenda Item 2.3 Low-Income Plan Committee Update

Community Renewable Energy Board Meeting
October 2022



Low-Income Plan Committee Membership

- Castle Valley
- Cottonwood Heights
- Kearns
- Ogden
- Park City
- Salt Lake City
- Summit County

[Resolution 21-12](#)

Low-Income Plan Requirement

- The Community Renewable Energy Act
 - “[The Program Application shall include]... **a proposed plan established by the participating community addressing low-income programs and assistance...**”
- Public Service Commission Rules
 - “[The Program Application shall include]... **a description of the plan proposed by each eligible community addressing low-income programs and assistance...**”

Low-Income Plan Template

- The Low-Income Plan Committee noticed that all the different ideas being brainstormed for low-income engagement fell into three categories: programmatic strategies, outreach strategies, and elective strategies.
- Committee Thought Process:
“What if we created a template plan that each community could simply fill out? It could have a section for programmatic strategies, outreach strategies, and elective strategies. Each community could be provided with this template, and could then add in their local information to constitute a low-income plan.”

Low- Income Plan Template

1. Programmatic Strategies Section

2. Outreach Strategies Section

3. Elective Strategies Section

Outreach Strategies Section

- There has been a longstanding emphasis on communicating the Program's details to customers within our communities.
- This emphasis applies to the low-income plan process, with a section in the Low-Income Plan Template dedicated to conducting outreach to low-income customers.
- To facilitate this outreach, each community in the Agency will:
 1. Be given informational posters to hang up in their governmental building and encouraged to also post this information via website, social media, and newsletter channels if possible.
 2. Conduct outreach to organizations that serve their community members, to cast a "wider net" in disseminating information on the Program to low-income customers within their community.

Outreach Strategies Section

- The actual organizations that each community decides to reach out to will vary from community to community.
- How will communities choose these organizations?
 - Communities should choose any organizations that they feel would be helpful in spreading information about this program to their community members, especially to low-income customers within their communities.
- Communities may have organizations in mind from existing community partnerships, but the Low-Income Plan Committee wanted to also provide each community with some ideas to help them brainstorm.
 - Utilizing data from the United Way “Utah 211,” the Low-Income Plan Committee has emailed a list of brainstormed organizations to each community.
 - Some of the organizations might be physically located within a community.
 - Other organizations might be physically located outside the community, but still serve the community at hand.

	A	B	C	D	E	F	G
1							
2							
3	Physically Located Within Summit County						
4	South Summit Senior Center(1834)	summitcounty.org/375/Senior-Citizen-Services	435-783-4311	34 East 400 South Kamas UT 84036	Senior Centers	Jessica Wilde 435-336-3014 jwilde@summitcounty.org Meals On Wheels 801-229-3802 Transportation Appointments 435-336-3014	
5	Summit County Health Department - Coalville	www.summitcountyhealth.org	435-336-3234	PO Box 128, Coalville, UT 84017	Various Health Services	Derek Siddoway, Public Information Officer, dsiddoway@summitcounty.org	
6	Summit County Library - Coalville	thesummitcountylibrary.org	435-336-3070	82 N 50 E, Coalville, UT 84017	Library Services	Susan Murphy, Branch Manager, smurphy@summitcounty.org	
7	Community Action Services and Food Bank - Coalville	www.communityactionuc.org	435-336-4277	17 S Main Street Coalville, UT 84017	Food Bank Services	Laura Hinton, Manager	
8	Big Brothers Big Sisters of Utah - Summit and Wasatch	bbbsu.org	801-313-0303	5532 Lillehammer Lane, #202, Park City, UT 84098	Mentoring Services	Lacey Cole-Rae, Summit County Manager, lacey.cole-rae@bbbsu.org	
9	Christian Center of Park City	ccofpc.org	435-649-2260	1283 Deer Valley Drive	Basic Needs	Jessica Bryant, Marketing and Volunteer Manager, jessica@ccofpc.org	
10	Community Action Services and Food Bank - Oakley	communityactionuc.org	801-373-8200	860 W Center Street, Oakley, UT 84055	Food Services	Lisa Thomas, Community Food Programs Manager, lisat@communityactionuc.org	

	A	B	C	D	E	F	G	H
23	Physically Located Outside of Summit County, but Still Serves Summit County							
24	AARP - Utah State Office(12)	states.aarp.org/utah/	866-448-3616	6975 Union Park Center Ste 320 Midvale UT 84047	AARP Tax Aide Programs	AARP Driver Safety Course and WebLink 888-227-7669 x2 Alan Ormsby 801-567-2641 aormsby@aarp.org Email ut@aarp.org Jenn Tarazon 801-567-2643 jtarazon@aarp.org Jill Duke 801-567-2642 jduke@aarp.org KoShell Burnham-Miller kbmiller@aarp.org Tax Aide Online Toll Free Spanish 877-342-2277		
25	Assist(64)	assistutah.org	801-355-7085	218 East 500 South Salt Lake City UT 84111	Home Maintenance and Minor Repair Services	Andres Calderon Email info@assistutah.org Jason Wheeler		
26	Comunidades Unidas(191)	cuutah.org	801-487-4143	1750 West Research Way Ste 102 West Valley City UT 84119	Food Stamps/SNAP Applications	Email info@cuutah.org Maria Montes Mayra Cedrano mayra@cuutah.org SNAP Enrollment Services 801-487-4143 x33		
27	Department of Workforce Services - Refugee Services(1473)	refugee.utah.gov	801-618-5096	150 North 1950 West Salt Lake City UT 84116	Immigrant/Refugee Employment Programs Refugee Resettlement Services	Donations and Volunteers Website Email refugeeoffice@utah.gov Online Training/Class Schedule Sandy Terry sterry@utah.gov Tracy Harris-Belnap tharrisbelnap@utah.gov		
28	Division of Services for People with Disabilities - Intake/Eligibility(2833)	dspd.utah.gov	801-538-4200	195 North 1950 West Salt Lake City UT 84116	Independent Living Skills Instruction	Angela Pinna 801-448-1782 apinna@utah.gov Bob Pease bpease@utah.gov Department of Human Services General 801-538-4171 dhsinfo@utah.gov DSPD Intake/Eligibility Web Site Email dspd@utah.gov		
29	Futures Through Training(304)	futuresthroughtraining.org	801-394-9774	1140 East 36th Street Ste 150 Ogden UT 84403	Utility Service Payment Assistance	HEAT Link HEAT Program/Applications and Verification 801-394-9774 heatprogram@fttinc.org Janette Hernandez 801-394-9774 x18 jhernandez@fttinc.org Natalie Alejandre 801-394-9774 x125 nalejandre@fttinc.org Phil Shumway pshumway@fttinc.org Sheri Kerr 801-468-0014 sherikerr@utah.gov		

Outreach Strategies Section

- By October 10th, please take some time to preliminarily scan through the list on your tab and make initial edits.
 - Remove any organizations that you know you don't want to conduct outreach with.
 - Add any organizations that you think you might want to conduct outreach with.
- After October 10th, the Low-Income Plan Committee will take these preliminarily-edited lists, pre-load them into the “Outreach Strategies Section” of your Low-Income Plan Template, and then send you this template.

Outreach Strategies Section

- Once you've received your template, you can continue editing the list that's been pre-loaded into it, until our December Program Application filing date. You can also start adding any strategies to the Elective Strategies section, if desired.
- Then, the outreach itself just needs to be conducted sometime during the calendar year of 2023:
 - Meet with the organization, in-person or virtually, to inform them about the Program's details.
 - Invite the organization to a quarterly meeting hosted by the Low-Income Plan Committee.
 - Add the organization to the Agency's list-serv database.
 - Provide the organization with the same printed poster being hung in the government buildings, for the organization to post in their office or facility.
 - Provide a template email with FAQ information to the organization, so that they can send this to their clients or patrons if asked about the Program.

Reminder Notes

September:

Lists of suggested outreach organizations have been provided to each community via email. Please review this list and provide any edits back to the Low-Income Plan Committee by October 10th. The edited list will be automatically included in your community's Low-Income Plan Template.

October:

Low-Income Plan Templates will be distributed to each community by mid-October. After this distribution, communities can continue making any edits to the list of organizations in the Outreach Strategies section. They can also add any elective strategies they'd like to offer to their community in the Elective Strategies section.

Reminder Notes

November:

At the November Board Meeting, the Low-Income Plan Committee will present its final recommendation to the Board on which programmatic strategies should be adopted Program-wide.

December:

At the December Board Meeting, Board Members will take a vote on which programmatic strategies are adopted Program-wide.

Where this decision will be made by the Board, and not by each community's own group of elected officials, some communities may desire to discuss the potential strategies with their colleagues before participating in the board vote. If a community desires this, they should facilitate this discussion with their personnel in preparation of taking a board vote at the December Board Meeting.

QUESTIONS?

*Meet with the Low-Income Plan
Committee to discuss!*

Email Samantha DeSeelhorst to set up a 1:1 meeting with
the Committee.

sdeseelhorst@ch.Utah.gov

Agenda Item 2.3 Program Design Committee Update

Community Renewable Energy Board Meeting
October 2022



Program Design Committee Membership

- Summit County
- Holladay
- Millcreek
- Ogden
- Park City
- Salt Lake City
- Springdale

[Resolution 21-05](#)

[Resolution 21-06](#)

Key Activities

- Committee met twice times in September
- Held two meetings with Rocky Mountain Power (RMP) to discuss:
 - Approaches to financial backstop
 - Process for periodic rate adjustments
- Emailed written briefing on ordinance and draft model ordinance language to all Board members
 - Phill Russell, outside counsel, will speak to the draft ordinance you received and answer questions
 - We recommend each participating community Board member solicit feedback from your governing body and municipal attorney and then pass along to Phil Russell

Next Steps

- Meet with Rocky Mountain Power (RMP) on **Oct 5** to discuss the resource solicitation process
- Hold second meeting with RMP, Division of Public Utilities, and Office of Consumer Services on **Nov 8** to discuss
 - approach to program rate design
 - approach to financial backstop
 - approach to periodic rate adjustments
 - programmatic approaches to low-income assistance
- If you haven't already, make sure to review the [Non-Disclosure and Confidentiality Agreement](#), sign the [Appendix A form](#) and email it to equinton@summitcounty.org

Recommended Council / Commission Updates



- September – written briefing on draft form of ordinance language (details on program elements to follow)



- October – written briefing on draft Utility Agreement (to be signed by all participating communities and Rocky Mountain Power)



- November / December – presentation on Utility Agreement and key program design elements, with vote on Utility Agreement (if needed)

Resources to be provided by Program Design Committee

- Written briefings
- Slides (for November/December presentation)
- Attendance at Council / Commission in-person briefings

[COMMUNITY]
ORDINANCE NO. _____

AN ORDINANCE OF [COMMUNITY] ENACTING TITLE ___, CHAPTER ___ TO THE
[COMMUNITY] CODE, COMMUNITY RENEWABLE ENERGY PROGRAM

Preamble

WHEREAS, in 2019, the Utah State Legislature enacted H.B. 411 that was codified at Utah Code Ann. §§ 54-17-901 to -909, and is known as the “Community Renewable Energy Act” (“Act”); and

WHEREAS, the Act authorizes the Utah Public Service Commission (“Commission”) to establish a community renewable energy program (“Program”) whereby towns, municipalities, and counties may cooperate with qualified utilities to provide electric energy for participating customers from renewable energy resources, in an amount that equals their annual consumption; and

WHEREAS, the Act provides that a customer of a qualified utility may be served by the Program if the town, municipality, or county (“Community”) in which the customer resides satisfies certain requirements, including:

(a) the Community must adopt a resolution no later than December 31, 2019, that states a goal of achieving an amount equivalent to 100% of the annual electric energy supply for participating customers from a renewable energy resource by 2030; and

(b) the Community must enter into an agreement with a qualified utility (“Utility Agreement”):

(i) stipulating to the payment to the qualified utility of the costs of:

(A) third-party expertise contracted for by the Division of Public Utilities and the Office of Consumer Services, for assistance with activities associated with initial approval of the Program; and

(B) providing notice to the Community’s customers as provided in the Act;

(ii) determining the obligation for the payment of any termination charges under the Act that are not paid by a participating customer and not included in participating customer rates; and

(iii) identifying any initially proposed replaced asset;

(c) the Community must, within ninety (90) days after the date of the Commission’s order approving the Program, adopt a local ordinance that:

- (i) establishes participation in the Program; and
- (ii) is consistent with the terms of the Utility Agreement; and
- (d) the Community must comply with any other terms or conditions required by the Commission; 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 through -402 (“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 (“Governance 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, consistent with the requirements of the Act, on [DATE], [COMMUNITY] adopted Resolution No _____, which states a goal of achieving an amount equivalent to 100% of the annual electric energy supply for [NAME OF COMMUNITY’s] participating customers from a renewable energy resource by 2030; and

WHEREAS, consistent with the requirements of the Rule, [COMMUNITY] entered into a Governance Agreement with other eligible Communities, thereby becoming a member of the Community Renewable Energy Agency (“Agency”), which is authorized to make certain joint decisions on behalf of Communities that participate in the Program; and

WHEREAS, consistent with the requirements of the Act, [COMMUNITY] entered into a Utility Agreement with Rocky Mountain Power, a qualified utility under the Act, effective as of [DATE], which addresses the issues required by the Act; and

WHEREAS, consistent with the requirements of the Act, on [DATE] PacifiCorp filed an application with the Commission seeking approval of the Program and the Commission opened Docket No. [_____] to consider the application;

WHEREAS, consistent with the requirements of the Act, on [DATE] the Commission issued an order in Docket No. [_____] (“Commission Order”) approving the Program; and

WHEREAS, as contemplated in the Act, the governing body desires to adopt this ordinance that satisfies the requirement of the Act; and

WHEREAS, the [COMMUNITY]’s governing body desires to take actions which it has determined promotes the health, safety and welfare of the [COMMUNITY]’s residents; and

WHEREAS, [COMMUNITY COUNCIL/COMMISSION] has determined that adoption of this ordinance will enhance the economic well-being of the [COMMUNITY] and its residents through prudent management of the [COMMUNITY]'s financial resources; and

WHEREAS, [COMMUNITY COUNCIL/COMMISSION] has determined that adoption of this ordinance will help address concerns related to poor air quality and other environmental concerns due in part to the use of fossil fuels; and

WHEREAS, the [COMMUNITY COUNCIL/COMMISSION] finds that energy sources utilized by and within [COMMUNITY] therefore can impact public health, safety and welfare; and

WHEREAS, recent advances in energy technology have made renewable energy more economically viable than in the past and, in some cases, more cost-effective than traditional energy sources; and

WHEREAS, proximity to outdoor recreation is a key economic contributor to [COMMUNITY] and one which relies on preservation of the environment and protection of natural resources; and

WHEREAS, [COMMUNITY] and its residents have shown an interest in environmental stewardship through various initiatives and activities surrounding growth and development; and

WHEREAS, [include description of Participating Community's prior sustainability actions]; and

WHEREAS, [COMMUNITY COUNCIL/COMMISSION] believes that determining and undertaking further actions designed to reduce fossil fuel dependence while appropriately balancing financial stewardship and promoting economic growth is an important component of safeguarding public health, safety and welfare; and

WHEREAS, [COMMUNITY COUNCIL/COMMISSION] met in regular session on [____], 2022 to, among other things, consider establishing renewable energy goals for [COMMUNITY]; and

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF [COMMUNITY] AS FOLLOWS:

Section 1. Adoption. [COMMUNITY] Code, Title __, Chapter __, Community Renewable Energy Program, which is published as a code in book form, is adopted in accordance with Exhibit A herein, copies of which have been filed for use and examination in the Office of the [COMMUNITY CLERK/RECORDER] (the "Community Renewable Energy Program Ordinance").

Section 2. **Savings Clause.** In the event one or more of the provisions of this Community Renewable Energy Program Ordinance shall, for any reason, be held to be unenforceable or invalid in any respect under applicable laws, such unenforceability or invalidity shall not affect any other provision; and in such an event, this Community Renewable Energy Program Ordinance shall be construed as if such unenforceable or invalid provision had never been contained herein.

Section 3. **Effective Date.** This Community Renewable Energy Program Ordinance shall take effect upon publication by [COMMUNITY] in a newspaper of general circulation in [COMMUNITY], Utah.

APPROVED, ADOPTED, AND PASSED and ordered published by the [COMMUNITY COUNCIL/COMMISSION], this ___ day of _____, 2022.

ATTEST:

[COMMUNITY COUNCIL/COMMISSION]

Name: _____
[COMMUNITY CLERK/RECORDER]

Name: _____
[COUNCIL/COMMISSION CHAIR]

APPROVED AS TO FORM:

VOTING OF [COUNCIL/COMMISSION]

Name: _____
[CITY/COUNTY ATTORNEY]

EXHIBIT A

TITLE ____

CHAPTER ____

COMMUNITY RENEWABLE ENERGY PROGRAM

SECTION 1. [COMMUNITY’S] PARTICIPATION IN COMMUNITY RENEWABLE ENERGY PROGRAM

1.1 [COMMUNITY] hereby establishes its participation in the Community Renewable Energy Program (“Program”) as approved by the Public Service Commission of Utah (“Commission”).

1.2 On [DATE], the Commission issued an order in Docket No. [_____] (“Commission Order”) approving the Program. The Commission Order is on file with the Commission. The Program’s rates, rules, and requirements are governed by the Commission Order, and may be modified from time to time by subsequent rules and orders adopted by the Commission. To the extent that the Commission Order or any subsequent rule or order adopted by the Commission contradicts any portion of this Title, the Commission order or rule or order adopted by the Commission shall govern.

1.3 ELIGIBLE CUSTOMERS. Pursuant to Utah Code § 54-17-905(5), residential customers participating in the net metering program under Utah Code Title 54, Chapter 15, Net Metering of Electricity, are not eligible to participate in the Program. All other retail electric customers of Rocky Mountain Power within the current and future boundaries of [COMMUNITY], including all residential, commercial, and industrial customers, are eligible to participate in the Program (“Eligible Customer”).

1.4 COMMENCEMENT DATE. The Program shall commence effective [DATE] (“Program Commencement Date”). Eligible Customers shall be enrolled in the Program if they receive the Notices identified in Section 2, below, and decline to opt out of participation in the Program by the date set forth in the Notices. Consistent with the Act and the Commission Order, the Notices shall be sent to each Eligible Customer before the commencement date that applies to each such customer (“Customer Commencement Date”), as set forth below.

1.4.1 For each Eligible Customer that continuously remains an Eligible Customer within [COMMUNITY] for at least 60 days prior to and through the Program Commencement Date, the Customer Commencement Date shall be the same as the Program Commencement Date.

1.4.2 For electric customers that become Eligible Customers within [COMMUNITY] after the Program Commencement Date (e.g., when a customer becomes a retail electric customer of Rocky Mountain Power

within the boundaries of [COMMUNITY] after the Program Commencement Date), the Customer Commencement Date shall be [] days after the customer becomes an Eligible Customer within [COMMUNITY].

SECTION 2. CUSTOMER PARTICIPATION IN COMMUNITY RENEWABLE ENERGY PROGRAM.

2.1 Each Eligible Customer shall be automatically enrolled in the Program unless the customer opts out of the Program prior to the customer's Customer Commencement Date.

2.2 NOTICES. As set forth in the Act and the Commission Order, before any Eligible Customer becomes a participant in the Program, Rocky Mountain Power first shall deliver to each Eligible Customer notices (collectively, the "Notices") containing content and in the form, manner, and delivery method as required by the Act and Commission Order and other orders and rules adopted by the Commission.

2.3. OPT-OUT. Each Eligible Customer may elect not to participate in the Program and to continue to pay applicable existing electric rates by giving notice to Rocky Mountain Power in the manner and within the time period set forth in the Notices.

2.3.1 FIRST OPT-OUT NOTICE. Rocky Mountain Power shall provide a First Opt-Out Notice, separate from standard monthly bills, to each Eligible Customer within [COMMUNITY], no earlier than sixty (60) days and no later than thirty (30) days before the Customer Commencement Date applicable to each customer. The First Opt-Out Notice shall, in all material respects, use the form and content of the First Opt-Out Notice as approved by the Commission.

2.3.2 SECOND OPT-OUT NOTICE. Rocky Mountain Power shall provide a Second Opt-Out Notice, separate from standard monthly bills, to each Eligible Customer within [COMMUNITY], at least fifteen (15) days after the First Opt-Out Notice was provided and at least seven (7) days before the Customer Commencement Date applicable to such customer. The Second Opt-Out Notice shall, in all material respects, use the form and content of the Second Opt-Out Notice as approved by the Commission.

2.3.3 Each Eligible Customer that receives the First Opt-Out Notice and the Second Opt-Out Notice as described herein and declines to opt out of the Program by the customer's Customer Commencement Date will be enrolled in the Program.

2.4 CUSTOMER OPTION TO OPT IN TO PROGRAM. An Eligible Customer located within [COMMUNITY] that is not enrolled in the Program may at any time elect to participate in the Program by providing notice to Rocky Mountain Power in the form and content approved by the Commission. Following such notice to opt in to the Program, the customer will be enrolled in the Program starting with the billing period following the notice in which it is reasonably practicable for Rocky Mountain Power to enroll such customer. The reasonably

practicable billing period shall be based on when the notice was received from the customer and the customer's billing cycle. Following enrollment in the Program, the customer shall be subject to all Program requirements, including exit notices and termination fees.

2.5 CUSTOMER OPTION TO EXIT PROGRAM. Customers that do not opt out of the Program by the Customer Commencement Date, or who opt in to the Program, may subsequently exit the Program by taking the steps described in the Commission Order.

SECTION 3. TERMINATION FEES

3.1 If a customer declines to opt out of the Program prior to the applicable Customer Commencement Date, but subsequently exits the Program, the exiting customer may be required to pay a termination fee, as set forth in this Section.

3.2 When applicable, the amount of the termination fee shall be based on the rate schedule of the exiting customer, is set forth in the Commission Order, and may be modified from time to time by subsequent orders of the Commission.

3.3 CIRCUMSTANCES IN WHICH TERMINATION FEE SHALL NOT APPLY: A Termination Fee shall not apply in the following circumstances:

3.3.1 Any customer that ceases to be an electric customer of Rocky Mountain Power;

3.3.2 Any customer that moves to a new location that is not within the boundaries of a community that participates in the Program;

3.3.3 Any customer that seeks protection through bankruptcy proceedings;

3.3.4 _____.

SECTION 4. ACQUISITION OF RENEWABLE ENERGY RESOURCES

4.1 For purposes of this section, "renewable energy resource" shall have the definition set forth in Utah Code § 54-17-902(14).

4.2 Rocky Mountain Power may adopt or procure one or more renewable energy resources to serve the needs and goals of the Program. The acquisition of any such renewable energy resource must follow solicitation application and evaluation criteria developed by Rocky Mountain Power and the Community Renewable Energy Agency, of which [COMMUNITY] is a member, and approved by the Commission.

4.3 Any renewable energy resource adopted or procured by Rocky Mountain Power to serve the needs and goals of the Program must be approved by the Commission based on a finding the same is reasonable and in the public interest.

4.3 The Commission shall determine the method of cost recovery for any renewable energy resource acquired to meet Program needs and goals, and the Commission's determination regarding cost recovery may affect Program rates.

SECTION 5. PROGRAM RATES AND RATE ADJUSTMENT FILINGS

5.1 Program rates will be determined by the Commission.

5.2 The initial Program rates were determined by the Commission in the Commission Order.

5.3 Program rates may be adjusted by the Commission from time to time, consistent with the procedures set forth in the Commission Order for adjusting Program rates.

SECTION 6. UTILITY BILLING FOR PARTICIPATING CUSTOMERS

6.1 Rocky Mountain Power shall bill each Participating Customer on a monthly basis and shall:

6.1.1 include information in its monthly bills to participating customers identifying the Program cost; and

6.1.2 provide notice to participating customers of any change in rates for participation in the Program.

SECTION 7. [COMMUNITY] PARTICIPATION IN PROGRAM

7.1 [COMMUNITY] is, itself, a retail electric customer of Rocky Mountain Power and is an Eligible Customer and shall elect to participate in the Program.

7.2 Through its membership in the Community Renewable Energy Agency, [COMMUNITY] participated in the design and approval of the Program and shall participate in future decisions regarding renewable energy resource solicitation, renewable energy resource acquisition, and certain other Program issues.

7.3 Consistent with Utah Code § 54-17-903(2)(c), [COMMUNITY] entered into an agreement with Rocky Mountain Power regarding the facilitation of the Program ("Utility Agreement"). Pursuant to the Utility Agreement, [COMMUNITY] agreed as follows:

- 7.3.1 [COMMUNITY] agreed to pay its proportional costs of third-party expertise contracted for by the Division of Public Utilities and the Office of Consumer Services for assistance with activities associated with initial approval of the Program. [COMMUNITY'S] portion of these costs was determined based on a formula set by the Community Renewable Energy Agency;
- 7.3.2 [COMMUNITY] agreed to pay its proportional costs associated with Rocky Mountain Power providing the Notices to the [COMMUNITY'S] customers as discussed in Section 2, above;
- 7.3.3 [COMMUNITY] agreed that any termination charges that are not paid by a participating customer shall be included in participating customer rates and shall not be paid by [COMMUNITY];
- 7.3.4 [COMMUNITY] agreed that there shall be no initially proposed “replaced asset” as that term is defined by Utah Code § 54-17-902(15).

7.4 [COMMUNITY] shall not be obligated to pay any costs of the Program other than those costs that [COMMUNITY] has agreed to pay as set forth in the Utility Agreement and any costs that [COMMUNITY] will bear as an Eligible Customer that participates in the Program.