

**DOCKETED**

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### **OIR-21-03 When MIDAS does not support a rate structure**

OIR-21-03 When MIDAS does not support a rate structure

A tariff that sets tiered kilowatt-hour usage values that vary according to the time of day to encourage off-peak electricity use and reductions in peak electricity use is a such a rate structure not supported by the MIDAS database.

*Additional submitted attachment is included below.*

OIR-21-03 When MIDAS does not support a rate structure

Pursuant to proposed 1621(c)(8) "Load management tariff" means a tariff with time-dependent values that vary according to the time of day to encourage off-peak electricity use and reductions in peak electricity use.

1621(h) should read as follows when the MIDAS database does not support a rate structure that otherwise meets the requirements of the proposed regulatory standards.

"1621(h) Except in the case that the MIDAS database does not support a rate structure otherwise meets the requirements of these standards, there shall be no reimbursement to local government entities for the costs of carrying out the programs mandated by these standards, because the Commission has found these standards to be cost-effective. The savings which these entities will realize as a result of carrying out these programs will outweigh the costs associated with implementing these programs only if the MIDAS database always supports a rate structure meets the requirements of these standards."

A tariff that sets tiered kilowatt-hour usage values that vary according to the time of day to encourage off-peak electricity use and reductions in peak electricity use is a such a rate structure not supported by the MIDAS database.

It would stand to reason that the Commission has found such a rate structure program is not cost-effective because MIDAS does not support such a rate structure.

The cost of developing such a rate structure should be reimbursed because it recognizes that electricity is a basic necessity that should be met without supporting electricity customers that use more than is equitable.

There should be no need for an exemption under 1621(e) due to the prescriptive nature of the regulations requiring the use of the MIDAS database.

It should be noted that 1621(c)(8) use of "reductions in peak electricity use" does not take in to account that cost varies with availability. Times of shortage that never reach a peak value are not explicitly required to be addressed in a "Load management tariff" as defined. A combined cycle power plant that is forced to run simple cycle or is not run while in repair, may create a shortage outside of peak usage, increasing the cost of electricity throughout the grid.

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