

# Wyoming Secretary of State

## Chuck Gray



August 23, 2023

*Via U.S. Mail and Email*

Wyoming Public Service Commission  
2515 Warren Avenue, Suite 300  
Cheyenne, WY 82002  
[wpsc\\_comments@wyo.gov](mailto:wpsc_comments@wyo.gov)

**Re: *Public Comment on Rocky Mountain Power Rate Increase, Docket Nos. 20000-633-ER-23 and 20000-642-EM-23***

Dear Members of the Commission:

These comments pertain to Rocky Mountain Power's 2023 General Rate Increase Application of \$140.2 Million per year, and 2023 Energy Cost Adjustment Mechanism of \$50.3 Million. As Wyoming Secretary of State, I oppose both of these rate hikes because they are not just, reasonable, or in the public interest as required by Wyoming law, and request that the Public Service Commission deny the applications as requested.<sup>1</sup>

First and foremost, the proposed rate increases are not in the public interest because they would devastate Wyoming's citizens, as well as our small businesses and industries. As Secretary of State, our office administers Wyoming statutes pertaining to the registration of profit and nonprofit corporations, limited liability companies, and other business entities registered with the State of Wyoming, handling over 500,000 filings every year, and generating more than \$36 Million for the State of Wyoming annually. Because of our affordable filing fees, enhanced customer service, and competitive cost of living, among other things, Wyoming has become a premier destination for small businesses.

Rocky Mountain Power's proposed rate increase presents a direct threat to Wyoming by raising the costs of residential, commercial and industrial energy customers. The effect of this outrageous increase on Wyoming residential customers would be catastrophic. It would be a double whammy, amplifying the inflation that is crippling us, increasing the costs of goods across the board and also directly through increases in energy costs. Rocky Mountain Power is also effectively shutting the door on small businesses in Wyoming by dramatically increasing the cost of one of their largest cost inputs: energy. In recent weeks, I have fielded calls and emails from small business owners in the state expressing their concern that the rate increases will put them out of business and also cause them to pass their costs directly onto consumers in the form of higher prices. Neither of these outcomes are in the public interest. For these reasons alone, Rocky Mountain Power's requests should be denied.

---

<sup>1</sup> See W.S. 37-2-101 *et seq.*

Rocky Mountain Power's proposed increase also poses a security risk to the United States, as it will undercut Wyoming's industrial customer base, making it cheaper to buy critical natural resources from foreign adversaries. Take, for example, Wyoming's trona industry, which supplies approximately 90% of the world's demand for trona. With trona mines facing a projected increase in power supply costs upwards of 30% from Rocky Mountain Power's rate increase, the rate hike will make it cheaper to buy trona from China than from right here in Wyoming. That is a catastrophic risk to a key Wyoming industry, as well as to the industrial base of our country and to our national security.

What's more, I remain deeply concerned and troubled that Rocky Mountain Power's proposed rate increase will force Wyomingites to foot the bill for awful federal and coastal state policies focused exclusively on decreasing emissions and propping up green energy as opposed to reducing rates for its customers. For years, Rocky Mountain Power's parent company, PacifiCorp, has engaged in an exponentially increasing divestiture from Wyoming's core fossil fuel industries in favor of so-called "environmentally friendly" alternatives, such as federally subsidized solar and wind. These have resulted in commitments to close coal fired power plants across the country, including the Dave Johnston Power Plant in Glenrock, Wyoming.

While these green energy initiatives have been repeatedly pitched as an effort to reduce costs, the shift has been almost entirely driven by oppressive attacks on the fossil fuel industry by the Biden Administration's escalating war on coal, oil, and natural gas through overbearing and crippling environmental regulations.<sup>2</sup> One need only look to PacifiCorp's Integrated Resource Plans, which details transitions in direct response to environmental regulation, to see total and complete capitulation to this radical, leftwing agenda. For example, it was reported that PacifiCorp's 2021 IRP announced a "path to achieve reduced greenhouse gas emissions by investing in more renewable resources" in an effort to reduce carbon by 98% by 2050.<sup>3</sup> PacifiCorp's 2023 IRP has increased its environmental commitment, repeatedly noting a concerted effort to transition away from fossil fuel economies in response to renewable portfolio standards from the United States Environmental Protection Agency, and California, Oregon, and Washington.<sup>4</sup>

As a member of the Wyoming House of Representatives, I fought to protect against these radical environmental initiatives, both as the prime sponsor of a bill which would have brought litigation against the state of Washington for refusing to export Wyoming coal, as well as sponsor of other legislation aimed at preserving Wyoming's coal producing facilities. As Secretary of State, I feel it is my duty to stand up for Wyomingites and our core industries, which includes small businesses, who will face the wrath from these continued leftwing attacks.

---

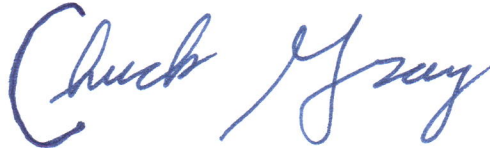
<sup>2</sup> Alex Guillen, *Biden Rule Tells Power Plants to Cut Climate Pollution by 90 percent – or Shut Down*, POLITICO, May 11, 2023, <https://www.politico.com/news/2023/05/11/biden-rule-tells-power-plants-cut-climate-pollution-00095827>.

<sup>3</sup> Jordan Miller, *Rocky Mountain Power's Parent Company Wants to Reduce Carbon by 98% by 2050, but Environmentalists say it's not Enough*, THE SALT LAKE TRIBUNE, September 2, 2021, <https://www.sltrib.com/news/2021/09/02/rocky-mountain-powers/>.

<sup>4</sup> 2023 Integrated Resource Plan, Volume 1, Pacificorp Resource Planning, March 31, 2023, [https://www.pacificorp.com/content/dam/pcorp/documents/en/pacificorp/energy/integrated-resource-plan/2023-irp/2023\\_IRP\\_Volume\\_I.pdf](https://www.pacificorp.com/content/dam/pcorp/documents/en/pacificorp/energy/integrated-resource-plan/2023-irp/2023_IRP_Volume_I.pdf).

Rocky Mountain Power has not met its burden of showing that the rate increase is just, reasonable, or in the public interest of Wyoming ratepayers. Accordingly, I respectfully request the Commission deny the proposed rate increases as requested.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Gray". The signature is written in a cursive style with a large, prominent initial "C".

Chuck Gray  
Wyoming Secretary of State