

THE COMMUNITY RENEWABLE ENERGY BOARD
RESOLUTION NO. 24-05

**A RESOLUTION OF THE BOARD AUTHORIZING A PATHWAY FOR
PROSPECTIVE PARTIES TO JOIN THE COMMUNITY RENEWABLE ENERGY
AGENCY**

WHEREAS, the Community Renewable Energy Board (“Board”) met in a regular meeting on June 3, 2024 to consider, among other things, a resolution of the Board authorizing a pathway for prospective parties to join the Community Renewable Energy Agency (“Agency”); and

WHEREAS, in 2019, the Utah State Legislature enacted the “Community Renewable Energy Act,” (the “Act”) codified at Utah Code Ann. § 54-17-901 *et seq.*; and

WHEREAS, in 2020, the Utah Public Service Commission adopted Rules Governing the Community Renewable Energy Program to implement the Act (the “Rules”), codified at Utah Administrative Code R746-314-101 *et seq.*; and

WHEREAS, the Agency was formed by several public entities (the “Parties”) pursuant to the Interlocal Cooperation Agreement Among Public Entities Regarding the Community Renewable Energy Program (the “Interlocal”); and

WHEREAS, in 2024, the Utah State Legislature adopted Senate Bill 214 that modified the Act to remove the requirement that a municipality or county adopt a resolution by December 31, 2019 to be eligible for service from a community renewable energy program; and

WHEREAS, the Interlocal provides that “[if] the Act hereafter allows the admission of additional Parties, the Board may adopt policies and procedures for such admission;” and

WHEREAS, the Board has already made substantial progress developing a Program Application as defined by the Rules, including “maps depicting the geographic boundaries of each such eligible community,” “proposed ordinance language that each ... eligible community must adopt to become a participating community,” “a description of the plan proposed by each eligible community addressing low-income assistance programs and assistance,” and drafting an agreement with Rocky Mountain Power as the qualified utility and as required under the Act (the “Utility Agreement”); and

WHEREAS, the Board now finds it advantageous to adopt policies and procedures to permit additional Parties provided those prospective Parties (“Prospective Parties”) expeditiously meet certain requirements.

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

- 1 That a municipality or county may become a Party to the Interlocal by fully satisfying all of the following requirements (“Requirements”):
 - a. By July 15, 2024:
 - i. Delivering to the Board Secretary a completed “Prospective Party Application Form” as shown in Exhibit A and executed by the municipality’s or county’s chief executive officer; and
 - ii. Delivering to the Board Treasurer an application fee of \$100, with a memo stating “URC Prospective Party application fee”; and
 - b. By August 31, 2024:
 - i. Executing and delivering to the Board Secretary a counterpart of the Interlocal, which delivery constitutes an agreement to be bound by all Resolutions of the Board; and
 - ii. Delivering to the Board Secretary a letter signed by the Prospective Party’s chief executive officer or a resolution adopted by the Prospective Party’s governing body that appoints an *ex officio* Board Member from among its elected officials and may appoint an *ex officio* Alternate Board Member from among its elected officials, appointed officials, or employees; and
 - iii. Making an initial payment to the Board Treasurer according to the payment table provided in the Prospective Party Application Form as shown in Exhibit A and based on the municipality’s or county’s 2023 population; and
 - iv. Delivering to the Board a map depicting the municipality’s or county’s boundaries in a manner consistent with the maps already developed by Board Members; and
 - v. Delivering to the Board a plan for low-income assistance, consistent with those already developed and Board Resolutions 22-11 and 22-12 or successor resolutions; and
 - vi. Executing the Utility Agreement consistent with Board Resolution 23-04 or successor resolutions, in which the Prospective Party will agree to pay Rocky Mountain Power for the cost of providing customer noticing and to other stipulations as required by the Act; and
 - c. By August 31, 2025, making a final payment to the Board Treasurer according to the payment table provided in the Prospective Party Application Form as shown in Exhibit A and based on the municipality’s or county’s 2023 population; and
 - d. Adopting an Ordinance as defined by the Rules and consistent with Board Resolution 23-01 or successor resolutions.
- 2 That for so long as a Prospective Party continues to demonstrate its intent to become a Party by satisfying the Requirements, but is not yet a Party, the designated *ex officio* Board Member or *ex officio* Alternate Board Member (if the *ex officio* Board Member is absent) may participate in Board meetings but will have no vote on Board matters and will not count toward establishing a quorum. The Prospective Party shall be bound by all Resolutions of the Board.

- 3 If a Prospective Party fails to meet any of the Requirements, the Board Secretary will so notify the Prospective Party. Unless the Requirement is met within 30 days of such notice, the Prospective Party will be deemed to have withdrawn from the Interlocal.
- 4 That upon satisfying the Requirements, the Party's Board Member and, as applicable, Alternate Board Member, will have a vote on Board matters as described in the Interlocal.
- 5 That Board Members, Alternate Board Members, committees of the Board, and staff who work for member communities are encouraged to assist Prospective Parties with the completion of Requirements as appropriate and as their other duties allow.

This Resolution assigned No. 24-05, shall take effect immediately.

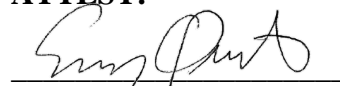
PASSED AND APPROVED by the Board this 3rd day of June 2024.

**COMMUNITY RENEWABLE ENERGY
BOARD**



Dan Dugan, Chair

ATTEST:



Emily Quinton, Secretary

Exhibit A



Community Renewable Energy Agency Prospective Party Application Form

1. What is your municipality's or county's legal name?

2. Is your community served in whole or in part by Rocky Mountain Power? *(Only areas served by Rocky Mountain Power are eligible)*

Yes No

3. What was your municipality's or county's population in 2023 according to the [US Census Bureau Incorporated Places and Minor Civil Divisions Datasets: Subcounty Resident Population Estimates: April 1, 2020 to July 1, 2023 \(SUB-EST2023\)](#) for Utah? *(Find this number in column O)*

4. In the table below, find the row number for which the population number entered above is equal to or greater than the entry in column B and equal to or less than the entry in column C:

A	B	C	D	E
	Low End of Population	High End of Population	Prospective Party Initial Payment [Due 8/31/24]	Prospective Party Final Payment [Due 8/31/25]
1	209,593	999,999	\$ 101,050.30	\$ 101,050.30
2	134,470	209,592	\$ 47,899.22	\$ 47,899.22
3	114,908	134,469	\$ 37,916.77	\$ 37,916.77
4	87,267	114,907	\$ 35,737.26	\$ 35,737.26
5	62,205	87,266	\$ 18,421.40	\$ 18,421.40
6	32,204	62,204	\$ 10,942.10	\$ 10,942.10
7	8,254	32,203	\$ 6,742.38	\$ 6,742.38
8	5,221	8,253	\$ 2,237.95	\$ 2,237.95
9	589	5,220	\$ 481.26	\$ 481.26
10	0	588	\$ 106.74	\$ 106.74

a. In the table above, what are the Initial Payment and Final Payment numbers shown in columns D and E for the row number matching your community's population?

Initial Payment (from column D): Final Payment (from column E):

5. Do you agree to develop a map depicting the geographic boundaries of your municipality or county in a manner that is consistent with [these samples](#)? *(Please check one)*

Yes No

a. Would you like assistance developing your community's boundary map so that it is consistent with other such maps? *(Please check one)*

Yes No

b. If available, please name a staff person who works for your municipality or county with whom the Agency can communicate about your boundary map.

Name: Email:



Community Renewable Energy Agency Prospective Party Application Form

6. Do you agree to develop a plan for low-income assistance in a manner that is consistent with [this sample](#) and Board resolutions [22-11](#) and [22-12](#) or successor resolutions?

Yes No

a. Would you like assistance developing your community’s plan for low-income assistance so that it is consistent with the other developed plans and Board resolutions [22-11](#) and [22-12](#)?

Yes No

b. If available, please name a staff person who works for your municipality or county with whom the Agency can communicate about your community’s plan for low-income assistance.

Name: Email:

7. Have you delivered a \$100 application fee with a memo stating “URC Prospective Party application fee” to the Board Treasurer at the following address:

*Attention: Utah Renewable Communities - Treasurer
1330 E. Chambers Avenue
Millcreek, Utah 84106*

Yes No

8. Have you read Board resolution 24-05 and do you acknowledge that you must satisfy all Requirements before your community will be able to vote on matters before the Board?

Yes No

9. By signing this form, do you hereby grant the Program Design Committee of the Utah Renewable Communities (and its consultants) the authority to request your community’s number of customers served under each rate schedule, monthly kWh load for each customer class, and a ten-year load forecast for each customer class from Rocky Mountain Power?

Yes No

10. Please have your municipality’s or county’s chief executive officer sign and date this form below, and email the completed and signed form to the Board Secretary at the following address:

equinton@summitcounty.org

Name (printed):

Title:

Signature:

Date: