



Office of Consumer Advocate

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To: West-Wide Governance Pathways Initiative,
Launch Committee
From: William Achi, Regional Analyst, Wyoming Office of Consumer Advocate
Date: August 29, 2024

RE: Comments for Public Interest Workshop, August 15, 2024

The Wyoming Office of Consumer Advocate (OCA) appreciates the opportunity to provide comments to the West-Wide Governance Pathways Initiative Launch Committee on the questions presented to the public on August 15, 2024. The Wyoming OCA is a separate and independent division of the Wyoming Public Service Commission and the State of Wyoming's statutorily authorized representative of all classes of utility customers. The OCA's duties are set forth in Wyoming Statutes W.S. 37-2-401 through 404. In addition to the joint comments provided by the Western Consumer Advocates, the OCA offers the following comments in response to the questions posed:

Questions from the August 15 Public Interest Workshop:

- 1. Do you think the set of tools shared by the working group is comprehensive? If not, please share other tools that should be considered.**
No comment at this time.
- 2. Do you disagree with any of the tools shared by the working group? Are there any that should not be used to protect the public interest? If so, please share your rationale.**
No comment at this time.
- 3. Do you agree with the tools shared to protect the public interest within the RO board? Do you have additional recommendations for consideration?**

We have no disagreements at this time, but we would recommend additional explanation or analysis on the specifics of how each tool will protect the public interest, and how each tool will respect individual state and local policies.

4. States Committee

- a. Do you agree with the structure and governance proposed by the working group? Why or why not? Do you have additional recommendations for consideration?**

No comment at this time.

- b. How has your experience been with other markets' States Committees (BOSR, COSR, MSC, etc.)? Are there any considerations recommended for this working group?**

No comment at this time.

- c. Do you agree with the role of public power/PMA proposed by the working group? Do you have additional recommendations for consideration?**

No, we do not agree with the proposed public power voting rights at this time and request additional explanation regarding what events would lead to a States Committee (or state representative) vote.

Our main concern is that public power representatives might also be market participants with inherent market interests. Providing another avenue for market participants to influence the direction of the RO, especially in situations that specifically call for state representative votes, could shift focus away from the public interest.

- d. How else might public power/PMA perspectives be incorporated?**

We still agree that public power/PMA representatives' inputs should be considered. However, we believe this input should be limited to the same extent as all other market participants.

- e. Do you agree with the proposed relationship between the States Committee and the RO board? Do you have additional considerations or adjustments to the proposal?**

No comment at this time.

5. Consumer Advocates

- a. Do you agree with the structure proposed by the working group? Do you think this is an effective means of engaging consumer advocates? Why or why not? Please share your rationale.**

In addition to the Western Consumer Advocates' joint comments, we also want to stress the importance of access to market data.

The ability to access market data and request analysis within the market monitor resource will be crucial in ensuring Consumer Advocate participation. This information should not only be available to the 501(c)(3) but also to the individual member advocate offices. This will provide each advocate office the ability to individually analyze the data with respect to their own state

policies and allow collaborative group analysis through the market monitor resourcing.

b. Do you think this proposal is effective in protecting the consumer interest? Why or why not? Please share your rationale.

We believe this proposal is a good and necessary first step. However, the efficiency of a consumer advocate organization will ultimately be determined by the overall RO structure and the process for individual class representatives, or “sectors,” to provide their input to shape decision making processes.

In the most recent stakeholder workshop held on August 28th, it was indicated that, within the Stakeholder Representative Committee, there would be a total of 9 sectors with 16 voting seats, possibly more as more utilities join EDAM. However, only one of these seats would represent Consumer Advocates. Based on this information, if this is the only avenue that consumer advocates will have to provide their inputs, we are concerned that the focus on the public/consumer interest will be lost and far outweighed by the voting power of utilities and other market participants.

6. Do you think the elements outlined in the presentation materials of the role of an Independent Market Monitor would be effective in helping to protect the public interest? If not, please explain your rationale and include any suggestions you can offer that would strengthen the role of an Independent Market Monitor.

No comment at this time.

7. Do you have any additional feedback you would like to share with the Launch Committee on these topics?

No comment at this time.