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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

In the Matter of the Application of PacifiCorp for Approval of an IRP-Based Avoided Cost Methodology for QF Projects Larger Than One Megawatt	Docket No. 03-035-14 <b>RESPONSE TO PACIFICORP'S MOTION TO STRIKE PORTIONS OF TESTIMONY OF ROGER J. SWENSON AND REQUEST FOR EXPEDITED TREATMENT</b>
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The following is a response by the Division of Public Utilities to the Motion to Strike portions of the testimony of Roger Swenson filed by PacifiCorp on February 14, 2006.

The Division of Public Utilities has received the Motion to Strike the testimony of Roger Swenson filed by PacifiCorp in this rehearing phase of this docket and generally supports the Motion.

The DPU believes that it is clear that the issues raised by Mr. Swenson are not the issues the Commission noticed up for this rehearing phase of this docket. Therefore without permission from the Commission it is inappropriate for Mr. Swenson to raise these issues at this time in this docket. From a practical

standpoint the issues he has raised cannot be adequately addressed in testimony due to be filed this Friday and in the hearing scheduled in this docket.

The DPU believes that Mr. Swenson's issues are more appropriately addressed in a contract dispute proceeding, if agreement cannot be reached, or in some other appropriate forum but not in this phase of this proceeding, which was designed to hear limited issues. If, however, the Commission wishes to hear these issues a schedule should be developed specifically to address these issues.

RESPECTFULLY SUBMITTED, this \_\_\_\_\_ day of February, 2006.

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of Public Utilities

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing **RESPONSE TO PACIFICORP'S MOTION TO STRIKE PORTIONS OF TESTIMONY OF ROGER J. SWENSON AND REQUEST FOR EXPEDITED TREATMENT** was sent by electronic mail and mailed by U.S. Mail, postage prepaid, to the following on February \_\_\_\_, 2006:

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