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OFFICE OF THE ATTORNEY GENERAL



UTAH PUBLIC
SERVICE COMMISSION

MARK L. SHURTLEFF
ATTORNEY GENERAL

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April 14, 2004

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Ms. Julie Orchard
Commission Secretary
Utah Public Service Commission
160 East 300 South, 4th Floor
Salt Lake City, UT 84111

RE: In the Matter of the Petition of Desert Power, L.P. for Approval
of a Contract for the Sale of Capacity and Energy from its Proposed
QF Facilities, Docket No. 04-035-04

Dear Ms. Orchard:

The Division of Public Utilities and the Committee of Consumer Services want to clarify the schedule in the instant docket. The filing made on April 13th consisted only of a list of five issues. It is very important for the Division and the Committee to know the precise position of the parties, as well as the support for those positions. The Division and the Committee need more information before they can file testimony in this docket.

The Division and the Committee will not file initial testimony, but instead will review the initial testimony filed by the parties. The Division and the Committee expect that the parties, in their initial testimony, will propose alternative language and detailed rationale supporting their positions.

The Division and the Committee will file testimony in the rebuttal round, currently scheduled for five days after the Commission's order in Docket No. 03-035-14, but no later than June 3rd.

Please contact me at (801) 366-0380 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patricia E. Schmid".

Patricia E. Schmid
Assistant Attorney General
Attorney for the Division of Public Utilities

cc: All parties on the service list