

June 8, 2005

Sandy Mooy, Esq.
Public Service Commission
Heber Wells Bldg., 4th Floor
160 East 300 South
Salt Lake City, UT 84111

Re: Peterson, et al. / PacifiCorp and ScottishPower
Docket No. 04-035-70

Dear Sandy:

In reviewing the documents on file in this docket, we are concerned that ScottishPower has not formally entered an appearance, although it could be argued that PacifiCorp has responded in ScottishPower's behalf by moving to have ScottishPower dismissed. I have never been quite sure of the service process which is in place; I understand what is stated in R746-100-4, but I also have been informally advised that service is deemed satisfied by the electronic notification provided by the Commission Secretary off the Commission's mailing lists. We've assumed that such notice was sent to ScottishPower, but I can't be sure of that.

In any event, I spoke with Greg Monson a few days ago, and he clarified that he is not representing ScottishPower, nor is he (or anyone from PacifiCorp) authorized to accept service for ScottishPower. We have concluded that prudence requires us to formally serve ScottishPower in accordance with R746-100-4; however, the Department of Commerce records do not show that ScottishPower has ever registered with the Department, nor is there a registered agent of record.

The 1999 sale order contains an agreement by ScottishPower to "locate a senior executive in Utah" to provide a "strong ScottishPower presence in Utah." We assume that ScottishPower has complied with that agreement, but there is no telephone directory listing, the corporate registration requirements appear not to have been met, and I am writing to inquire whether the Commission has a name and address for a ScottishPower officer who can be served with our request for agency action, or whether we need to mail the service papers to Scotland.

If this needs to be treated as a GRAMA request, please let me know if I should file a formal request. Thank you for your assistance.

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Sincerely,

David R. Irvine

DRI:sp

cc: Counsel of Record