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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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In the Matter of the Acknowledgment of PacifiCorp's Integrated Resource Plan 2007	Docket No. 07-2035-01 <b>UTAH COMMITTEE OF CONSUMER SERVICES' REQUEST FOR HEARING OR IN THE ALTERNATIVE TO REOPEN DOCKET FOR COMMENTS</b>
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Pursuant to Utah Code §63-46b-8 and Utah Administrative Rule R746-100-10, the Utah Committee of Consumer Services moves the Utah Public Service Commission to schedule a hearing upon PacifiCorp's May 30, 2007 request for agency action "that the Commission acknowledge the IRP [2007] in accordance with its rules and fully support the IRP conclusions, including the proposed action plan." A hearing upon PacifiCorp's request for agency action is necessary to inform the Commission's decision under the provisions of Title 63, Chapter 46b, the Utah Administrative Procedures Act and Utah Code §54-1-2.5.

Alternatively, the Committee requests that the Commission renew and extend the opportunity for interested parties to file comments on the appropriateness

of the IRP 2007 and to recommend Commission action on the IRP, in light of PacifiCorp's filings and recent developments in Docket No. 05-035-47. Upon receipt of comments, the Committee requests that the Commission then consider whether a hearing should be scheduled.

The Committee requests that the Commission consider the following facts and circumstances in determining whether a hearing or additional comments or other proceedings will best inform the Commission's determination of PacifiCorp's request for agency action.

1. On September 27 and October 17, 2007, PacifiCorp filed supplemental information and additional support for its IRP 2007. Interested parties had earlier filed comments on the IRP by August 31, 2007 as requested by the Commission. However, the Commission's schedule did not contemplate PacifiCorp's filing nor provide interested parties with an opportunity to comment upon the utility's additional and new information. In addition, on December 5, 2007, Western Resource Advocates filed a reply to PacifiCorp's October 2, 2007 response. The Committee is uncertain that the Commission will consider WRA's comments, but contends that they should be. Granting this motion will assure all parties a fair opportunity to meaningfully comment.

2. On October 2, 2007, PacifiCorp filed in Docket No. 05-035-47, a Motion to Amend its RFP 2012. PacifiCorp disclosed its supporting assertions in an October 16, 2007 Memorandum. However, on November 28, 2007, PacifiCorp withdrew its Motion and announced that it would proceed as soon as January 2008 with a new RFP for energy resources overlapping and extending beyond the RFP 2012.<sup>1</sup> The Committee contends that each of these events materially implicates the IRP 2007 and whether acknowledgment and/or additional Commission directives are proper. For example, under the circumstances as they now exist, an acknowledgment or lack of acknowledgment may be an incomplete or inadequate determination of the correlation between and inter-reliant nature of the IRP and the RFP. *See Utah Code §54-17-301.*
3. The Committee has identified specific areas and issues within the IRP 2007 that are material to PacifiCorp's proposed 2012 to 2017 RFP, and the facts and circumstances disclosed by PacifiCorp in its Motion to Amend, Memorandum, Withdrawal, and in disclosures made by the utility in the course of related proceedings. For example, the utility stated in Paragraph 6 of its November 28, 2007 Withdrawal of Motion to Amend, that generation units burning coal were not viable

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<sup>1</sup> On December 21, 2007, PacifiCorp filed an Application for expedited approval of an RFP process consistent with the terms of the utility's withdrawal of the Motion to Amend.

benchmarks because of the “current uncertainty in the ability to quantify in any meaningful way the cost of compliance with potential federal CO<sub>2</sub> legislation . . . .” However, the IRP is in part, based upon just these calculations.

4. On December 14, 2007, the Commission’s Report and Order in Docket No. 07-057-01, Questar Gas Company’s May 1, 2007 to April 30, 2008 IRP, the Commission’s conclusions about the utility planning process are applicable to all utilities and address some of the issues that the Committee raised in this Docket also. For example, the Commission concluded that “a utility’s planning process as compiled in an IRP must not only inform the reader of the Company’s intentions for the planning year(s) but must also provide sufficient information and analyses for the reader to understand how the Company reaches its conclusions as to the least-cost plan for providing energy resource services . . . .” “The Plan must address all system, contractual, gas quality, operational and regulatory issues known to the Company at the time the Plan is submitted.”
5. Based upon these and other conclusions, the Commission declined to address acknowledgment of Questar’s IRP and deferred a “general discussion of acknowledgment” to a separate upcoming docket to address IRP Standards and Guidelines. The Committee contends that

the rationale for the Questar Report and Order equally applies to PacifiCorp's 2007 IRP. Only by holding a hearing or allowing additional comments, or both, can the questions and concerns about the IRP be fully examined.

RESPECTFULLY SUBMITTED this 2<sup>nd</sup> day of January 2008.

/s/ Paul H. Proctor

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## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing motion was served upon the following by electronic mail sent January 2, 2008:

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