

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of Rocky Mountain Power for Authority to Increase its Retail Electric Utility Service Rates in Utah and for Approval of its Proposed Electric Service Schedules and Electric Service Regulations)
)
) DOCKET NO. 09-035-23
)
) SCHEDULING ORDER
)
)

ISSUED: August 4, 2009

By The Commission:

A duly noticed Scheduling Conference was held July 14, 2009 in this matter. Parties discussed a schedule, discovery procedures and the pending motion of the Utah Industrial Energy Consumers to bifurcate the case. Contemporaneously with the issuance of this Scheduling Order, the Commission is issuing an order on the bifurcation issue and a scheduling order for Docket No. 09-035-15, In the Matter of the Application of Rocky Mountain Power for Approval of its Proposed Energy Cost Adjustment Mechanism. Due to our resolution of the bifurcation request, our effort to accommodate the Commission's own schedule and the work-load of the Commission and parties participating in this docket and Docket No. 09-035-15, the Commission issues this Scheduling Order, which varies in some respects from the schedule discussed at the July 14, 2009, Scheduling Conference. The Commission will address rate of return, revenue requirement, and cost of service aspects of this case in Phase I and will address final rate design in Phase II. Although the Commission has included in this scheduling order the Phase II schedule outlined at the July 14, 2009, Scheduling Conference, the Commission recognizes that the dates proposed anticipated hearings for Phase II Rate Design matters at an earlier time than they will likely be addressed in light of our decision on the bifurcation request and the schedules we have

DOCKET NO. 09-035-23

-2-

set for this docket and Docket No. 09-035-15. As such, we will consider a party's request to vacate the Phase II schedule relating to the filing of rate design testimony and set a schedule for testimony filing and hearing dates at a future scheduling conference for Phase II.

Based upon the foregoing, the Commission issues this Scheduling Order to govern Phase I – Return on Equity/Revenue Requirement/Cost of Service and Phase II –Rate Design in Docket No. 09-035-23:

1. The schedule in this docket shall be as follows unless otherwise ordered by the Commission:

a. Phase I – Return on Equity/Revenue Requirement/Cost of Service

September 1, 2009	Deadline for interested parties to file to intervene in docket
September 17, 2009	Deadline for parties other than Rocky Mountain Power to file Direct Testimony on Return on Equity
October 8, 2009	Deadline for parties other than Rocky Mountain Power to file Direct Testimony on Revenue Requirement and Cost of Service
October 8, 2009	Deadline for parties to file Rebuttal Testimony to the Direct Testimony due September 17, 2009, on Return on Equity
October 22, 2009	Deadline for parties to file Sur-rebuttal Testimony to the Rebuttal Testimony due on October 8, 2009, on Return on Equity
November 10, 2009	Hearing to be held on Return on Equity, beginning at 9:00 a.m., Room 403 , Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah

DOCKET NO. 09-035-23

-3-

November 10, 2009	Public Witness Day for interested persons to provide oral comments will be held beginning at 5:00 p.m. to 6:00 p.m. , in Room 403 , Heber M. Wells Building, Salt Lake City, Utah
November 12, 2009	Deadline for parties to file Rebuttal Testimony to the Direct Testimony due October 8, 2009, on Revenue Requirement and Cost of Service
November 30, 2009	Deadline for parties to file Sur-rebuttal Testimony to the Rebuttal Testimony Due November 12, 2009, on Revenue Requirement and Cost of Service
December 2, 3, 7, and 8, 2009	Hearing to be held on Revenue Requirement and Cost of Service beginning, each day, at 9:00 a.m. , Room 403 , Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah
December 7, 2009	Public Witness Day for interested persons to provide oral comments will be held beginning at 5:00 p.m. to 6:00 p.m. , in Room 403 , Heber M. Wells Building, Salt Lake City, Utah
b. Phase II – Rate Design	
August 18, 2009	Scheduling Conference to set hearing dates for Phase II
October 15, 2009	Deadline for parties other than Rocky Mountain Power to file Direct Testimony on Rate Design
December 1, 2009	Deadline for parties to file Rebuttal Testimony to Direct Testimony due October 15, 2009, on Rate Design
January 5, 2010	Deadline for parties to file Surrebuttal Testimony to Rebuttal Testimony due December 1, 2009, on Rate Design

2. Responses to discovery requests on the following issues served within the following time frames shall be provided within the following number of days:

- a. Phase I (Return on Equity):
 - i. Until September 17, 2009, within 21 calendar days.
 - ii. Until October 8, 2009, within 14 calendar days.
 - iii. After October 8, 2009, within seven (7) calendar days.
- b. Phase I (Revenue Requirement/Cost of Service):
 - i. Until October 8, 2009, within 21 calendar days.
 - ii. Until November 12, 2009, within 14 calendar days.
 - iii. After November 12, 2009, within seven (7) calendar days.
- c. Phase II (Rate Design):
 - i. Until October 15, 2009, within 21 calendar days.
 - ii. Until December 1, 2009, within 14 calendar days.
 - iii. After December 1, 2009, within seven (7) calendar days.

3. Parties shall serve copies of all filings on other parties by electronic mail at or before the time an electronic copy of the document is filed with the Commission. Parties shall serve discovery requests and responses on applicable parties by electronic mail. In the event a document filed with the Commission or produced in response to a discovery request cannot reasonably be transmitted by electronic mail, the party filing the document shall file an electronic copy of the document on CD (or, if an electronic copy is not available, a paper copy) to the Commission by hand delivery and shall serve an electronic copy of the document on CD (or, if an electronic copy is not available, a paper copy) on applicable parties by hand delivery if the parties being served is in the same metropolitan area as the serving party or by overnight courier if the party being served is located in a different metropolitan area from the serving party.

4. The Public Witness Hearings in the foregoing schedule shall begin at the time indicated and conclude at the ending time, or until individuals present at the ending time have

DOCKET NO. 09-035-23

-5-

finished their comments. The Commission may limit presentation of testimony or comments that are unduly repetitious. Any individual wishing to present a statement of position to the Commission that is unable to do so during the Public Witness Hearing may file a written statement of position with the Commission at its offices, Fourth Floor, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah 84111 in person, by mail, by electronic mail to jwatts@utah.gov, or by facsimile to (801) 530-6796.

In accordance with the Americans with Disabilities Act, 42 U.S.C. §§ 12101 *et seq.*, individuals needing special accommodation, including auxiliary communication aids and services at any of the scheduled hearings, should notify Julie Orchard, Commission Secretary, at Public Service Commission, Fourth Floor, 160 East 300 South, Salt Lake City, Utah 84111, telephone 801-530-6713, at least three working days prior to the hearing.

DATED at Salt Lake City, Utah, this 4th day of August, 2009.

/s/ Julie Orchard
Commission Secretary
G#63115