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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

UTAH DIVISION OF PUBLIC UTILITIES' REQUEST TO VACATE EXISTING SCHEDULE AND TO ESTABLISH A SCHEDULE FOR RATE DESIGN TESTIMONY AND HEARING (PHASE II) OR, IN THE ALTERNATIVE, REQUEST FOR A SCHEDULING CONFERENCE

The Division of Public Utilities (Division) hereby requests that the Utah Public Service Commission vacate the current schedule and establish a new schedule for testimony and hearing in the Phase II (rate design phase) of this docket or, in the alternative, set a scheduling conference. In addition the Division is responding to the August 20, 2009 Motion of Rocky Mountain Power (Company) to set a schedule in Phase II (Motion). The Division does not support the schedule proposed by the Company and proposes this alternative schedule. As part of this request, the Division also asks the

Commission to order the Company to update its Rate Design proposals shortly after the Commission's anticipated mid-February order in Phase I (Return on Equity/Revenue Requirement/Cost of Service) in this case. The Division's requests are pursuant to the August 4, 2009 scheduling order in this docket which stated that the Commission would consider parties' motions to vacate the Phase II schedule and to establish a new schedule.

The Division, in common with other parties to this case, would prefer that a Phase II schedule be established relatively soon, both for planning purposes and for the purpose of securing the schedules of consultants and witnesses. Accordingly, the Division requests that the Commission order the following schedule for Phase II in this docket:

January 7, 2010	Direct Testimony from non-company intervenors
February 11, 2010	Rebuttal Testimony
February 25, 2010	Company files revised Rate Design proposals updating its originally filed case
March 4, 2010	Surrebuttal Testimony
March 10, 2010	Public Witness Hearing
March 10-11, 2010	Hearing

This proposed schedule is intended to strike a balance between providing enough time for parties to prepare their filings, and the desire of parties to have rate design completed and a Commission order in place prior to the onset of summer rates on May 1, 2010. It is hoped that the proposed hearing dates of March 10th and 11th provide the Commission with sufficient time to make a decision and to complete an order, especially

in light of the relatively limited scope of Phase II. Moreover, it is our hope that the schedule also will provide sufficient time for an order to be issued at least a few weeks in advance of the May 1 date, both in order to avoid consumer confusion and to permit the Company to make a single, orderly transition to new summer rates.

The Company's proposed schedule contained in its Motion had the hearings dates beginning the week of March 29, 2009. The Division does not believe that gives the Commission sufficient time to reach a decision and believes that it would allow insufficient time to implement new rates prior to the summer rates beginning May 1, 2009. In addition, the Company's schedule did not include an update of its rate design for changes that might occur after the revenue requirement order is issued, anticipated in mid February.

If the Commission declines to adopt the foregoing schedule, the Division requests that the Commission set a scheduling conference. It is the Division's intent that the schedule issued by the Commission enable the orderly and prompt resolution of issues in Phase II.

RESPECTFULLY SUBMITTED, this ____ day of August, 2009.

UTAH DIVISION OF PUBLIC UTILITIES

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CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of August, 2009, I caused to be emailed a true and correct copy of the foregoing **REQUEST TO VACATE EXISTING SCHEDULE AND TO ESTABLISH A SCHEDULE FOR RATE DESIGN TESTIMONY AND HEARING (PHASE II) OR, IN THE ALTERNATIVE, REQUEST FOR A SCHEDULING CONFERENCE** in Docket No. 09-035-23 to the following:

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