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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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| In the Matter of the Application of Rocky Mountain Power for Approval of a Power Purchase Agreement between PacifiCorp d/b/a Rocky Mountain Power and Kennecott Utah Copper, LLC. | MOTION TO SET HEARING DATE Docket No. 09-035-62 |
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Pursuant to the rules and regulations of the Utah Public Service Commission (“Commission”), Kennecott Utah Copper, LLC (“Kennecott”) respectfully moves the Commission for a Scheduling Order setting the hearing for the above-captioned matter to follow directly after the hearing for Docket No. 09-035-59 set for November 4, 2009, at 9:30 a.m. The grounds for this Motion are as follows:

1. On August 11, 2009, PacifiCorp (d/b/a Rocky Mountain) (“Rocky Mountain” or the “Company”) filed its application for approval of an Electric Service Agreement (“ESA”) with Kennecott, which was entered as Docket No. 09-035-59.

2. The Commission has scheduled a hearing on Rocky Mountain’s application in Docket No. 09-035-59 for November 4, 2009, 9:30 a.m. to 10:30 a.m.

3. On September 3, 2009, Rocky Mountain filed its application for approval of a Power Purchase Agreement (“PPA”) with Kennecott, which was entered as Docket No. 09-035-62.

4. Docket Nos. 09-035-59 and 09-035-62 both concern the approval of contracts between Rocky Mountain and Kennecott.

5. Docket No. 09-035-59 concerns the approval of a contract for Rocky Mountain to provide back-up and supplemental electric service to Kennecott, and Docket No. 09-035-62 concerns the approval of a contract for Rocky Mountain to purchase electric energy from Kennecott’s qualifying facility (“QF”).

6. Rocky Mountain and Kennecott are both the only parties to both contracts, and the witnesses and representatives for Kennecott will be the same in both instances.

7. Upon conferring, counsel for Rocky Mountain indicated to counsel for Kennecott that Rocky Mountain has no objection to scheduling the hearings sequentially.

CONCLUSION

Based on the foregoing, Kennecott requests that the Commission issue a Scheduling Order setting the hearing for Docket No. 09-035-62 so that it will be heard directly following the hearing scheduled for Docket No. 09-035-59 on November 4, 2009, 9:30 a.m.

DATED this 24th day of September, 2009.

/s/ Vicki M. Baldwin
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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of September 2009, I caused to be e-mailed, a true and correct copy of the foregoing **MOTION TO SET HEARING DATE** o:

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