

31.8 megawatts (MW). All interconnection requirements have been met and Kennecott's facility is fully integrated with the Company's system. The average net monthly output of the facility will be about 14,000 megawatt-hours (MWh) to the Company or about 18.5 MW per hour on average. The Agreement will run for 12 months—from January 1, 2010 through December 31, 2010. The current Agreement expires December 31, 2009. Kennecott will sell all of its electric generation to the Company.

The specifics of the Agreement are detailed in the Application, attached Agreement, and summarized in the Division's Recommendation.

The Division recommended approval of the Application and Agreement and the OCS did not oppose the approval.

ORDER

Based on the Application, Agreement submitted by the Company, the Recommendation of the Division and testimony presented by the parties at the hearing, the Commission finds the approval of the Application to be in the public interest and therefore approves the Agreement between the Company and Kennecott.

Pursuant to Sections 63G-4-301 and 54-7-15 of the Utah Code, an aggrieved party may request agency review or rehearing of this Order by filing a written request with the Commission within 30 days after the issuance of this Order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission does not grant a request for review or rehearing within 20 days after the filing of the request, it is deemed denied. Judicial review of the Commission's final

DOCKET NO. 09-035-62

-3-

agency action may be obtained by filing a petition for review with the Utah Supreme Court within 30 days after final agency action. Any petition for review must comply with the requirements of Sections 63G-4-401 and 63G-4-403 of the Utah Code and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah this 10th day of November, 2009.

/s/ Ruben H. Arredondo
Administrative Law Judge

Approved and confirmed this 10th day of November, 2009 as the Order Approving Power Purchase Agreement of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#64287