Mark C. Moench (2284) Yvonne R. Hogle (7550) Rocky Mountain Power 201 South Main Street, Suite 2300 Salt Lake City, Utah 84111 Telephone: (801) 220-4050 (Hogle)

Facsimile: (801) 220-3299 mark.moench@pacificorp.com yvonne.hogle@pacificorp.com

Gregory B. Monson (2294) Stoel Rives LLP 201 South Main Street, Suite 1100 Salt Lake City, Utah 84111 Telephone: (801) 578-6946 Facsimile: (801) 578-6999 gbmonson@stoel.com

Attorneys for Rocky Mountain Power

## 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. 10-035-124

ROCKY MOUNTAIN POWER'S UNOPPOSED MOTION TO VACATE COST OF CAPITAL HEARING AND ADMIT FILED TESTIMONYAND REQUEST FOR EXPEDITED ORDER

Rocky Mountain Power, a division of PacifiCorp ("Rocky Mountain Power" or "Company"), hereby requests that the Commission (a) vacate the hearing on cost of capital scheduled in this matter on July 11-12, 2011, and (b) admit the following cost of capital testimony and exhibits filed in this docket into evidence as the sworn testimony and exhibits of the witnesses on cost of capital issues without cross examination:

(1) Direct Testimony of Bruce N. Williams, Cost of Capital, including Exhibits RMP \_\_\_\_ (BNW-1) through RMP \_\_\_\_ (BNW-7), filed January 24, 2011;

- (2) Cost of Capital Rebuttal Testimony of Bruce N. Williams, including Exhibit RMP \_\_\_\_(BNW-1R), filed June 8, 2011;
- (3) Direct Testimony of Samuel C. Hadaway, Return on Equity, including Appendices through C and Exhibits RMP \_\_\_ (SCH-1) through RMP \_\_\_ (SCH-5), filed January 24, 2011;
- (4) Cost of Capital Rebuttal Testimony of Samuel C. Hadaway, including Exhibits RMP(SCH-1R) through RMP (SCH-8R), filed June 8, 2011;
- (5) Direct Testimony and Exhibits of Charles E. Peterson (DPU Exhibit 4.0), including DPU Exhibits 4.1 through 4.16, filed May 11, 2011;
  - (6) Rebuttal Testimony of Charles E. Peterson (DPU Exhibit 4.0R), filed June 8, 2011;
- (7) Surrebuttal Testimony and Exhibits of Charles E. Peterson (DPU Exhibit 4.0-SR), including DPU Exhibits 4.1-SR through 4.6-SR and replacement DPU Exhibit 4.3, filed June 8, 2011;
- (8) Direct Rate of Return Testimony of Daniel J. Lawton, including Exhibits OCS 1.1 through 1.9, filed May 11, 2011;
- (9) Surrebuttal Rate of Return Testimony of Daniel J. Lawton, including Exhibits OCS1.1SR through 1.6SR, filed June 27, 2011;
- (10) Direct Testimony and Exhibits of Michael Gorman, including Appendix A and Exhibits FEA-1 (MPG-1) through FEA-19 (MPG-19), filed May 11, 2011; and
- (11) Cost of Capital Phase Direct Testimony and Exhibits of Steve W. Chriss, including Exhibit SWC-1 and SWC-2, filed May 11, 2011.

The Company is authorized to represent that all parties that have filed the foregoing testimony on cost of capital, the Company, the Division of Public Utilities, the Office of Consumer Services, the Federal Executive Agencies and Wal-Mart Stores, Inc. and Sam's West, Inc, stipulate to the relief requested in this Motion. In addition, the Company has provided

notice to all other parties of record in this docket, and no party has notified the Company that it

opposes this Motion. Parties reserve the right to brief cost of capital issues based on the

testimony and exhibits admitted into evidence in accordance with any briefing schedule

established by the Commission.

Given that the hearing on cost of capital is currently scheduled for July 11-12, 2011 and

that five of the six witnesses are out-of-town witnesses and would need to travel to Salt Lake

City, Utah, for the hearing, the Company requests that the Commission issue an Order approving

this Motion on an expedited basis.

**RELIEF REQUESTED** 

Based on this unopposed Motion, the Company requests that the Commission issue an

order on an expedited basis: (a) vacating the hearing on cost of capital scheduled in this matter

on July 11-12, 2011, and (b) admitting the foregoing testimony and exhibits filed in this docket

into evidence as the sworn testimony and exhibits of the witnesses on cost of capital issues

without cross examination.

DATED:

July 5, 2011.

RESPECTFULLY SUBMITTED,

**ROCKY MOUNTAIN POWER** 

\_\_\_\_\_\_

Mark C. Moench

Yvonne R. Hogle

**Rocky Mountain Power** 

Gregory B. Monson

Stoel Rives LLP

Attorneys for Rocky Mountain Power

- 3 -

## CERTIFICATE OF SERVICE

I hereby certify that on July 5, 2011, a true copy of the foregoing **ROCKY MOUNTAIN** 

## POWER'S UNOPPOSED MOTION TO VACATE COST OF CAPITAL HEARING AND

## ADMIT FILED TESTIMONYAND REQUEST FOR EXPEDITED ORDER was served by

email on the following:

Patricia Schmid
Assistant Attorney General
Heber M. Wells Bldg., 5th Floor
160 East 300 South
Salt Lake City, UT 84111
pschmid@utah.gov

Chris Parker
William Powell
Dennis Miller
Division of Public Utilities
Heber M. Wells Building
160 East 300 South, 4th Floor
Salt Lake City, UT 84111
ChrisParker@utah.gov
wpowell@utah.gov
dennismiller@utah.gov

Gary A. Dodge Hatch James & Dodge 10 West Broadway, Suite 400 Salt Lake City, UT 84101 gdodge@hjdlaw.com

F. Robert Reeder
William J. Evans
Vicki M. Baldwin
Parsons Behle &, Latimer
201 South Main Street, Suite 1800
Salt Lake City, UT 84111
bobreeder@parsonsbehle.com
vbaldwin@parsonsbehle.com
bevans@parsonsbehle.com

Paul Proctor
Assistant Attorney General
Heber M. Wells Bldg., 5th Floor
160 East 300 South
Salt Lake City, UT 84111
pproctor@utah.gov

Cheryl Murray
Michele Beck
Utah Office of Consumer Services
160 East 300 South, 2nd Floor
Salt Lake City, UT 84111
cmurray@utah.gov
mbeck@utah.gov

Kevin Higgins
Neal Townsend
Energy Strategies
39 Market Street, Suite 200
Salt Lake City, UT 84101
khiggins@energystrat.com
ntownsend@energystrat.com

Peter J. Mattheis
Eric J. Lacey
Brickfield, Burchette, Ritts & Stone,
P.C.
1025 Thomas Jefferson Street, N.W.
800 West Tower
Washington, D.C. 2007
pjm@bbrslaw.com
elacey@bbrslaw.com

Gerald H. Kinghorn
Jeremy R. Cook
Parsons Kinghorn Harris, P.C.
111 East Broadway, 11th Floor
Salt Lake City, Utah 84111
ghk@pkhlawyers.com
jrc@pkhlawyers.com

Steven Michel
Western Resource Advocates
2025 Senda de Andres
Santa Fe, NM 87501
smichel@westernresources.org

Nancy Kelly Western Resource Advocates 9463 N. Swallow Rd. Pocatello, ID 83201 nkelly@ida.net

Holly Rachel Smith, PLLC Hitt Business Center 3803 Rectortown Road Marshall, VA 20115 holly@raysmithlaw.com

Steve W. Chriss Wal-Mart Stores, Inc. 2001 SE 10th Street Bentonville, AR 72716-0550 stephen.chriss@wal-mart.com

Kurt J. Boehm, Esq. Boehm, Kurtz & Lowry 36 East Seventh Street, Suite 1510 Cincinnati, OH 45202 kboehm@BKLlawfirm.com Captain Shayla L. McNeill Ms. Karen S. White AFLOA/JACL-ULFSC 139 Barnes Ave, Suite 1 Tyndall AFB, FL 32403 Shayla.mcneill@tyndall.af.mil Karen.white@tyndall.af.mil

Rob Dubuc Western Resource Advocates 150 South 600 East, Suite 2A Salt Lake City, UT 84102 rdubuc@westernresources.org

Sonya L. Martinez
Betsy Wolf
Salt Lake Community Action Program
764 South 200 West
Salt Lake City, UT 84101
smartinez@slcap.org
bwolf@slcap.org

Ryan L. Kelly Kelly & Bramwell, P.C. 11576 South State St. Bldg. 1002 Draper, UT 84020 ryan@kellybramwell.com

Arthur F. Sandack 8 East Broadway, Ste 510 Salt Lake City, UT 84111 asandack@msn.com

Brian W. Burnett, Esq. Callister Nebeker & McCullough Zions Bank Building 10 East South Temple, Suite 900 Salt Lake City, UT 84133 brianburnett@cnmlaw.com Randy N. Parker, CEO Leland Hogan, President Utah Farm Bureau Federation 9865 South State Street Sandy, UT 84070 rparker@fbfs.com leland.hogan@fbfs.com

Bruce Plenk Law Office of Bruce Plenk 2958 N St Augustine Pl Tucson, AZ 85712 bplenk@igc.org

Mike Legge US Magnesium LLC 238 North 2200 West Salt Lake City, UT 84106 mlegge@usmagnesium.com

Torry R. Somers
CenturyLink
6700 Via Austi Parkway
Las Vegas, NV 89119
Torry.R.Somers@CenturyLink.com

Sophie Hayes
Sarah Wright
Utah Clean Energy
1014 Second Avenue
Salt Lake City, UT 84103
sophie@utahcleanenergy.org
sarah@utahcleanenergy.org

Gloria D. Smith Sierra Club 85 Second Street, Second floor San Francisco, CA 94105 gloria.smith@sierraclub.org

Janee Briesemeister AARP 98 San Jacinto Blvd. Ste. 750 Austin, TX 78701 jbriesemeister@aarp.org

Roger Swenson
US Magnesium LLC
238 North 2200 West
Salt Lake City, UT 84114-6751
roger.swenson@prodigy.net

Sharon M. Bertelsen Ballard Spahr LLP One Utah Center, Suite 800 201 South Main Street Salt Lake City, UT 84111 bertelsens@ballardspahr.com

70785751.2 0085000-01028