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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 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** <br><br> **UAE'S REQUEST FOR PROMPT TEST PERIOD HEARING AND EXPEDITED CONSIDERATION** |

The UAE Intervention Group (UAE), hereby requests that the Commission schedule an

evidentiary hearing in this docket at the earliest practicable date to allow the Commission to

receive evidence and reach a prompt determination as to the test period to be utilized in this

docket.  UAE also requests expedited treatment of this request.

In support of this petition, UAE represents as follows:

1. The application of Rocky Mountain Power (RMP) in this docket proposes a test period ending June 30, 2012.  RMP also provided with its filing data on an alternative test period ending June 30, 2011.  The most obvious alternative test period, and the test period most comparable to test periods ordered by the Commission in the past, is calendar year 2011.  However, RMP failed to provide the data necessary to utilize that test period.

2. Promptly after receiving RMP's application, UAE submitted its first data request to RMP on January 27, 2010, which includes the following request for data to support a calendar year 2011 test period:

> 1.4 Please provide all data and information necessary for an alternative 12-month test period ending December 31, 2011 in a manner consistent with RMP Exhibit SRM-3. Among other things, please provide the same demonstration as provided in RMP's Application and supporting testimony, exhibits and filings, for its proposed June 2012 test period for the revenue requirement for such a December 2011 test period, including adjustments that should be made to the 12 months ended June 2010 unadjusted results to arrive at a December 2011 alternative test period, on both a total company and Utah jurisdictional basis.

3. On February 7, 2011, UIEC filed a motion challenging RMP's proposed test period and proposing a calendar year 2011test period.

4. RMP has informed UAE that it intends to object to UAE's data request 1.4. Moreover, at the scheduling conference in this docket, RMP opposed setting a hearing date for a determination of the appropriate test period.

5.    By refusing to provide the data (to which only RMP has access) necessary for a different test period and by resisting an early test period hearing, PacifiCorp seeks to leave the parties and the Commission with no practicable alternative but to default to its preferred test period.

6.    Utah Code Section 54-4-4(3) requires the Commission to select the test period that, "on the basis of the evidence, the commission finds best reflects the conditions that a public utility will encounter during the period when the rates determined by the commission will be in effect." In order to make that determination, the Commission must receive evidence. Unless an evidentiary test period hearing is held early in this docket, however, neither the parties nor the Commission will have the information necessary to determine just and reasonable rates based on any test period other than the ones offered by the utility.

7.    The requirements of Utah statutes and fundamental fairness to RMP's ratepayers requires an early Commission determination as to the appropriate test period to be utilized in this docket, and an order directing RMP to provide data necessary for that test period.

WHEREFORE, UAE respectfully asks the Commission to set an evidentiary hearing at the earliest practicable date to receive evidence and to make a determination as to the most appropriate test period to be used in this docket.

DATED this 10th day of February, 2011.

HATCH, JAMES & DODGE

/s/ _____
Gary A. Dodge

Attorneys for UAE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by email this 10th day of February, 2011, on the following:

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