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Attorneys for Rocky Mountain Power

## **BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

In the Matter of the Application of ROCKY MOUNTAIN POWER for Approval of a Pole Attachment Agreement between PacifiCorp and Alliant Techsystems, Inc.

## DOCKET No. 10-035-\_\_\_\_

## APPLICATION OF ROCKY MOUNTAIN POWER

PacifiCorp, doing business in Utah as Rocky Mountain Power ("Rocky Mountain Power" or "Company") respectfully requests an order under Utah Admin. Code R746-345-3 approving a Pole Attachment Agreement (the "Agreement") between PacifiCorp and Alliant Techsystems, Inc. ("ATK") dated May 7, 2010. Each of Rocky Mountain Power and ATK are referred to as a "Party" and together referred to as the "Parties."

In support of its Application, Rocky Mountain Power states as follows:

1. Rocky Mountain Power is a public utility in the state of Utah and is subject to the jurisdiction of the Commission with regard to its rates and service. As a public utility that permits attachments to its poles by an attaching entity, Rocky Mountain Power is obligated to provide that service pursuant to the requirements in Utah Admin. Rules, R746-345 governing pole attachments. Rocky Mountain Power has previously submitted for Commission approval, pole attachment agreements with TCG Utah and Leavitt Group Enterprises, which agreements were approved by the Commission in Docket Nos. 09-035-52 and 10-035-01, respectively.

Rocky Mountain Power currently has pending for Commission approval a pole attachment agreement with South Central Communications in Docket No. 10-035-42 and a non-reciprocal pole attachment template in Docket No. 10-035-43.

2. Communications regarding this Application should be addressed to:

By e-mail (preferred): <u>datarequest@pacificorp.com</u> <u>Dave.taylor@pacificorp.com</u> <u>Barbara.ishimatsu@pacificorp.com</u>

By mail: Data Request Response Center Rocky Mountain Power 825 NE Multnomah St., Suite 800 Portland, OR 97232

> Dave Taylor Rocky Mountain Power 201 South Main, Suite 2300 Salt Lake City, UT 84111 Telephone: (801) 220-2923

Barbara Ishimatsu Rocky Mountain Power 201 South Main Street, Suite 2300 Salt Lake City, UT 84111 Telephone: (801) 220-4640

3. The Agreement negotiated between Rocky Mountain Power and ATK is substantially the same as the pole attachment agreements with TCG Utah and Leavitt Group Enterprises with the exception of section 5.01, which reflects terms negotiated by the parties and it does not contain a confidentiality provision. The Agreement reflects the non-reciprocal relationship between the licensee and Rocky Mountain Power. The equipment to be attached to Rocky Mountain Power's poles pursuant to the Agreement will be utilized by ATK for its own information and communications purposes, interconnecting various ATK facilities. The Agreement was jointly negotiated between the Parties and represents the agreed-to terms and conditions for ATK's attachments to Rocky Mountain Power's poles.

WHEREFORE, Rocky Mountain Power respectfully requests that the Commission issue an order approving the Agreement submitted herewith and finding the terms and conditions of the Agreement to be just and reasonable and in the public interest.

DATED this \_\_\_\_\_th day of May, 2010.

Respectfully submitted,

Daniel Solander Barbara Ishimatsu Rocky Mountain Power

Attorneys for Rocky Mountain Power

## **CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing **APPLICATIOIN FOR APPROVAL OF POLE ATTACHMENT AGREEMENT BETWEEN PACIFICORP AND ALLIANT TECHSYSTEMS, INC.** to be served upon the following by electronic mail or U.S. postage to the addresses shown below on May \_\_\_\_\_, 2010:

Alliant Techsystems, Inc. Attn: Paul J. Widdison P.O. Box 160362 Clearfield, UT 84016	
Cheryl Murray Dan Gimble Michele Beck Office of Consumer Services 160 East 300 South, 2 <sup>nd</sup> Floor Salt Lake City, UT 84111 <u>cmurray@utah.gov</u> <u>dgimble@utah.gov</u>	Paul Proctor Office of Consumer Services Heber M. Wells Bldg., Fifth Floor 160 East 300 South Salt Lake City, UT 84111 pproctor@utah.gov
mbeck@utah.gov Michael Ginsberg Patricia Schmid Assistant Attorney General Utah Division of Public Utilities Heber M. Wells Bldg., Fifth Floor 160 East 300 South Salt Lake City, UT 84111 mginsberg@utah.gov pschmid@utah.gov	Dennis Miller William Powell Philip Powlick Division of Public Utilities Heber M. Wells Building 160 East 300 South, 4 <sup>th</sup> Floor Salt Lake City, UT 84111 <u>dennismiller@utah.gov</u> <u>wpowell@utah.gov</u> <u>philippowlick@utah.gov</u>

Paralegal