- BEFORE THE PUBLIC SER	RVICE (	COMMISSION OF UTAH -
In the Matter of the Application of Rocky Mountain Power for Approval of Pole Attachment Agreement between PacifiCorp and Alliant Techsystems, Inc.	) ) ) )	DOCKET NO. 10-035-59  ORDER APPROVING POLE ATTACHMENT AGREEMENT

ISSUED: August 17, 2010

By The Commission:

This matter is before the Commission on the application of PacifiCorp, doing business in Utah as Rocky Mountain Power ("Company"), for approval of a pole attachment agreement ("Agreement") with Alliant Techsystems, Inc. On May 11, 2010, the Company filed its application together with a copy of the Agreement and a copy of the Company's Joint Use Distribution Construction Standards (EU). The Agreement was signed on May 7, 2010.

The Agreement differs from the safe harbor pole attachment agreement approved in Docket No. 04-999-03. Therefore, pursuant to Utah Administrative Code R746-345-1(B)(2), the Company must obtain Commission approval of the Agreement.

The Division of Public Utilities (Division) submitted a report of its review of the Agreement on July 8, 2010, recommending approval of the Company's application. The Division states it reviewed the application, the Agreement and the Commission rules on pole attachments. The Division evaluated the Agreement's substantive and non-substantive differences in comparison to the safe harbor agreement. It notes the Commission has previously approved similar deviations from the safe harbor agreement, in Docket Nos. 09-035-52 and 10-035-01. In the Division's view, the terms and conditions of the Agreement, including the differences from the safe harbor agreement are reasonable and the product of mutual agreement

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between the parties. In particular, the Division concludes the Company's Joint Use Distribution Construction Standards (EU) is in conformance with National Electric Safety Code requirements. Additionally, the Agreement's annual rental rate is consistent with the Company's Electric Service Schedule No. 4.

## ORDER

Having reviewed the application and attachments, and the Division recommending approval, and finding approval of the application and the Agreement to be just and reasonable, and in the public interest, the Commission approves the application and the Agreement.

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 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 Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 17<sup>th</sup> day of August, 2010.

/s/ David R. Clark
Hearing Officer

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Approved and confirmed this 17<sup>th</sup> day of August, 2010, as the Order Approving Pole Attachment 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#67837