



State of Utah
Department of Commerce
Division of Public Utilities

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RESEARCH MEMORANDUM

To: Utah Public Service Commission

From: Division of Public Utilities

Philip Powlick, Director
Artie Powell, Manager, Energy Section
Charles E. Peterson, Technical Consultant

Date: July 15, 2010

Subject: DPU Response to Action Request, Docket No. 10-2527-01

ISSUES AND RECOMMENDATION (No Action)

In a letter dated August 17, 2010 Kennecott Utah Copper LLC (Kennecott), made an informational filing regarding the self certification as a Qualifying Facility (QF) of a new electric generation facility associated with Kennecott's refinery operation near Magna, Utah. The Commission issued an Action Request to the Division with a due date of October 18, 2010. This memorandum is the Division's response to the Action Request. Kennecott's filing with the Commission included the documents it filed with the Federal Energy Regulatory Commission that certified that the Kennecott facility described in the documents qualified for QF status. It was anticipated that Rocky Mountain Power would file for Commission approval a contract with Kennecott related to this facility. Rocky Mountain Power has now filed this contract with the Commission (see Docket No. 10-035-113). Since any issues within the Commission's jurisdiction regarding this facility and the contract between Kennecott and Rocky Mountain Power will be dealt with in Docket No. 10-035-113, the Division recommends no action be taken in Docket No. 10-2527-01.

cc: Dave Taylor, Rocky Mountain Power
Paul Clements, PacifiCorp
Michele Beck, Office of Consumer Services
Robert Reeder, attorney for Kennecott