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Attorney for Rocky Mountain Power

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Formal Complaint
of Menlove-Johnson, Inc against Rocky
Mountain Power

Docket No. 11-035-180

**NOTICE OF WITHDRAWAL OF
COMPLAINT**

On November 30, 2011, the Commission held a scheduling conference for Menlove-Johnson, Inc.'s formal complaint against Rocky Mountain Power. Among the dates established was a settlement meeting on January 11, 2012.

Following the adjournment of the scheduling conference and prior to the settlement meeting, Menlove-Johnson and Rocky Mountain Power engaged in discussions of the complaint, and requested documents and other information pertaining to the complaint.

The Parties dispute what information was provided by Menlove's contractor for Rocky Mountain Power's use in designing service to Menlove's rebuilt facility and whether that

information was sufficient for Rocky Mountain Power to determine Menlove desired an optional service classification for its separately metered outdoor nighttime lighting. Additionally, the Parties dispute whether use of an applicable service classification that results in a higher cost to Menlove than the best service classification constitutes overbilling under the Public Service Commission Rules, R746-311-9. Furthermore, the Parties dispute whether Rocky Mountain Power reasonably relied upon the information provided by Menlove when Rocky Mountain Power provided a recommendation that the separately metered outdoor nighttime lighting should be classified as general service and Menlove executed a contract agreeing to be billed pursuant to such classification.

However, the Parties have reached a mutually agreeable resolution to the dispute and Menlove-Johnson Inc., no longer wishes to pursue the formal complaint with the Commission.

The parties jointly request that this proceeding be dismissed with prejudice, without further hearing.

Dated this 20th day of January 2012.

_____/s/_____
Gary A. Dodge, Esq.
HATCH JAMES & DODGE
Attorneys for Menlove-Johnson, Inc.

Dated this 20th day of January 2012.

_____/s/_____
Barbara Ishimatsu
Attorney for Rocky Mountain Power