



State of Utah
Department of Commerce
Division of Public Utilities

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ACTION REQUEST RESPONSE

To: Public Service Commission

From: Division of Public Utilities
Chris Parker, Director
Artie Powell, Manager
Charles Peterson, Technical Consultant
Doug Wheelwright, Utility Analyst

Date: December 15, 2011

Ref: Docket No. 11-035-196. Application of Rocky Mountain Power for Approval of the Power Purchase Agreement between PacifiCorp and Blue Mountain Wind 1, LLC.

RECOMMENDATION (Suspend Application)

The Division of Public Utilities (Division) recommends that the Commission suspend Rocky Mountain Power's (Company) Application in this matter pursuant to the Company's request in its letter dated December 14, 2011.

DISCUSSION

The Company filed its application for approval of a power purchase agreement with Blue Mountain Wind 1, LLC (Blue Mountain) on November 10, 2011. The Commission issued an action request to the Division on November 16, 2011 with a due date on the action request of December 16, 2011. On December 14, 2011, the Company filed a request with the Commission to suspend its application citing that the online date in the original agreement could no longer be

met requiring further negotiations to modify the agreement. This memorandum responds to the current action request.

On November 22, 2011 the Division, along with a representative of the Office of Consumer Services, met with the Company to discuss the Blue Mountain application. At that time there was concern expressed by the Company that Blue Mountain may not be able to make the contractual due date. Subsequent discussions between the Division and the Company confirmed that concern, which has now been confirmed to the Commission by the Company's request to suspend the application.

The Division agrees with the Company's assessment that the application should be suspended until such time as the Company and Blue Mountain reach a new agreement to be filed with the Commission. Therefore, the Division recommends that the Commission suspend actions in this docket until a new application is filed.

CC:

Paul Clements, PacifiCorp

Dave Taylor, Rocky Mountain Power

Michele Beck, Office of Consumer Services