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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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|---|----------------------------|-----------------------|
| In the Matter of Rocky Mountain Power's Proposed Schedule 94, Energy Balancing Account (EBA) Pilot Program Tariff |)))))) | DOCKET NO. 11-035-T10 |
| | | ISSUES LIST |

Rocky Mountain Power (“Rocky Mountain Power” or “Company”) hereby submits its Issues List to the Public Service Commission of Utah (“Commission”) in accordance with the Scheduling Order in this Docket, issued December 16, 2011. In support of the Issues List, Rocky Mountain Power states as follows:

1. Rocky Mountain Power is a division of PacifiCorp. PacifiCorp is an Oregon corporation that provides electric service to retail customers through its Rocky Mountain Power division in the states of Utah, Wyoming, and Idaho, and through its Pacific Power division in the states of Oregon, California, and Washington.

2. Rocky Mountain Power is a public utility in the state of Utah and is subject to the Commission's jurisdiction with respect to its prices and terms of electric service to retail customers in Utah. The Company serves approximately 800,000 customers and has

approximately 2,400 employees in Utah. Rocky Mountain Power's principal place of business in Utah is 201 South Main Street, Suite 2300, Salt Lake City, Utah 84111.

3. Communications regarding this filing should be addressed to:

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In addition, Rocky Mountain Power requests that all data requests in this docket be sent in Microsoft Word or plain text format to the following:

By email (preferred): datarequest@pacificorp.com

By regular mail: Data Request Response Center
PacifiCorp
825 NE Multnomah, Suite 2000
Portland, Oregon 97232

Informal questions may be directed to Dave Taylor, Utah Regulatory Affairs Manager at (801) 220-2923.

4. It is Rocky Mountain Power's position that the Electric Service Schedule No. Schedule 94 ("EBA Tariff") filing is a compliance filing. Its purpose is to implement the Commission Final Order ("Order") in Docket 09-035-15 and the portions of the Settlement Stipulation ("Stipulation") in Dockets 09-035-15, 10-035-124, 10-035-14, 11-035-46, and 11-035-47 that relate to the Energy Balancing Account. The EBA case and the cases settled

by the Stipulation have concluded as has the reconsideration period for those cases. Accordingly, it is not necessary, and would be inappropriate, for parties to file formal testimony to revisit issues either that have already been decided, or that were never brought up before, in this Docket.

5. It is Rocky Mountain Power's position that the robust participation in the EBA workshops provided sufficient information and opportunity for Commission staff to inform the Commission of the sections of its Order, and the sections of the order approving the Stipulation, that need clarification. As such, it is also not necessary for parties to file comments. It is unlikely that comments will uncover any information that has not already been considered and evaluated in Dockets 09-035-15 and 10-035-124, and in the EBA workshops. And to the extent they do, it would be inappropriate for the Commission to consider new evidence and change any of its findings in the Order and in the order approving the Stipulation, as a result of such new information.

6. If the Commission deems it necessary to require parties to file comments, however, issues to be addressed in this EBA Tariff compliance docket by the Commission should be limited to:

- a. Is the deferral methodology used by the Company in the EBA Tariff consistent with the approved methodology in the Stipulation?
- b. Is the Company's proposed EBA Rate (as defined in the EBA Tariff), which is a percentage monthly Power Charges and Energy Charges (as defined in the EBA Tariff), consistent with the EBA Rate spread and design ordered by the Commission in its Order, in part, as follows:

“As noted earlier, collection or refund of any EBA balance must also be based on cost of service. Therefore, we will rely on our most general rate case revenue spread and rate design decisions for the spread of the

deferred balance to rate schedules and to rate elements.” (Corrected Report and Order, Docket 09-035-15, March 3, 2011).

7. Where the Commission’s decisions and direction in the Order are unclear, the Commission should provide clarification. As stated above, a fully litigated process is neither necessary nor appropriate.

8. In addition, it is not necessary for the EBA Tariff to include a full description of the regulatory process, including filing requirements. Filing requirements and other similar requirements can and should be determined in a separate rulemaking process or other docket, if necessary.

DATED this 16th day of December, 2011.

Respectfully submitted,

ROCKY MOUNTAIN POWER

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CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of December, 2011, I caused to be served, by e-mail, a true and correct copy of the foregoing Issues List in Docket No. 11-035-T10 to the following:

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