



A PROFESSIONAL
LAW CORPORATION

MEMORANDUM

TO: Utah Division of Public Utilities

FROM: F. Robert Reeder
William J. Evans
Vicki M. Baldwin

Attorneys for UIEC

DATE: February 13, 2012

SUBJECT: UIEC's Comments on the Division of Public Utilities' "Final Draft" Report of the Division of Public Utilities

Parties have been requested to submit comments on the "Final Draft" of the Report of the Division of Public Utilities' EBA Pilot Program Evaluation Plan dated February 3, 2012. UIEC's comments are as follows.

INTRODUCTION

It is UIEC's position that this report should meet at least three goals. First, it should outline what is necessary for Rocky Mountain Power ("RMP" or the "Company") to file in its annual Energy Balancing Account ("EBA") filing so that its filing is considered a complete and adequate filing. Second, it should inform the Company of the type of information and the granularity of that information that should be provided in the monthly reports it is required to

submit to the Division of Public Utilities (“DPU” or the “Division”).¹ If the monthly reports are complete and sufficient, they could simply be rolled up at the end of the period and submitted as the filing. This would cut down significantly the time required to conduct the final review, which would be beneficial given the very short amount of time available for review. In any case, the annual filing should contain at least the information spelled out herein or it should be considered inadequate. Thirdly, the report should specify the type of information that will be necessary to make an evaluation of the EBA Pilot Program.

To meet these goals, the information that is provided must be adequate to determine the appropriate fuel and purchased power costs that should be included in the EBA and enable parties to look behind those costs to evaluate the appropriateness of the amounts included. This includes knowing of any changes between forecasted costs and actual costs and why those changes occurred. Parties need to be able to conduct a full evaluation and make a prudence determination on the transactions. The parties should not be forced to serve numerous data requests to conduct their evaluation in a short period of time. All information needed should be provided up front. This means the information provided must be in sufficient detail to ascertain not only whether the right accounts were included, but that RMP took the appropriate and prudent actions consistent with providing the necessary services at the lowest overall reasonable cost. It goes beyond merely checking the Company’s arithmetic.

The Division’s “Final Draft” does not ask all of the right questions to do this. Rather than looking forward to set rates on costs that are determined reasonable, as has been done in the past, an EBA looks at historic costs. Moreover, instead of the Company taking the risk on cost

¹ The monthly reports should also be made accessible to intervenors.

recovery of general rate case costs, the rate payer will be taking the risk on the EBA costs. Therefore, transparency in the Company's disclosure is paramount. All parties expressed concern in the early stages of the EBA proceedings as to how to incentivize the Company to prudently manage fuel and purchased power costs when the ratepayer would be at risk for those costs instead of the Company.² Transparent full disclosure early and often will make the Company accountable and provide that incentive. If the Division's report does not ensure that the correct questions are asked, the burden will be shifted to the rate payers to discover the right information, and there is not adequate time for the necessary investigation to be conducted independently. Because the rate payers are at risk, the burden should rest with the Company to provide all the requisite information in the monthly reports and in its annual filing.

SPECIFIC COMMENTS

Based on UIEC's review of the Division's "Final Draft," the requirements for an adequate filing are not complete and the content of the monthly reports has not been defined as completely and with sufficient granularity as necessary. The Division's inquiry appears to be more tailored to checking the Company's accounting and is not sufficient for determining whether the transactions were reasonable, prudent, and booked appropriately.

The monthly report and annual filing should include, at a minimum, the following additional information:

1. For each month, or partial month, during the period of time from the start of the EBA period through the end of the EBA period, RMP should provide the volume (in Dth) of natural gas consumed during the period of time that was hedged with swaps, what volume was

² As can be seen by the attached data responses, the Company is not forthcoming in providing the appropriate information.

purchased for consumption by contract and, of those volumes, how much was purchased at indexed price, and how much was purchased at a fixed price.

2. For each month, or partial month, during the period of time from the start of the EBA period through the end of the EBA period, RMP should identify separately for each fuel type each financial hedge transaction that was settled and, with respect to each, state:

- (a) The date the transaction was entered into;
- (b) The nature of the transaction (*e.g.*, swaps, options, puts, etc.);
- (c) The counterparty;
- (d) The volume of fuel covered by the transaction;
- (e) The market price of fuel on the day the transaction was entered into;
- (f) The price at which the transaction was acquired;
- (g) The forecasted mark-to-market gain or loss from each transaction as that amount was calculated by RMP for the purpose of determining the EBA costs from the last Utah general rate case;
- (h) The monthly total gains or losses of the transactions as calculated under subparagraph (g);
- (i) The price actually paid for the fuel covered by each transaction;
- (j) The amount of the actual gain or loss on each transaction as of the settlement date;
- (k) The total gains or losses from fuel transactions for each month or partial month;
- (l) The period of time each financial hedging instrument was held; and

(m) What activity was taken, if any, to liquidate the instrument.

3. For each month, or partial month, during the period of time from the start of the EBA period through the end of the EBA period, RMP should identify separately for each fuel type each physical hedge transaction that was settled and, with respect to each, state:

- (a) The date the transaction was entered into;
- (b) The nature of the transaction (*e.g.*, contract, spot market, etc.);
- (c) The counterparty;
- (d) The volume of fuel covered by the transaction;
- (e) The market price of fuel on the day the transaction was entered into;
- (f) The price at which the transaction was acquired;
- (g) The forecasted mark-to-market gain or loss from each transaction as that amount was calculated by RMP for the purpose of determining the EBA costs from the last Utah general rate case;
- (h) The monthly total gains or losses of the transactions as calculated under subparagraph (g);
- (i) The price actually paid for the fuel covered by each transaction;
- (j) The amount of the actual gain or loss on each transaction as of the settlement date;
- (k) The total gains or losses from the fuel transactions for each month or partial month;
- (l) The period of time each physical hedging instrument was held; and
- (m) What activity was taken, if any, to liquidate the instrument.

4. For each month, or partial month, during the period of time from the start of the EBA period through the end of the EBA period, RMP should identify separately for purchased power each financial hedge transaction that was settled and, with respect to each, state:

- (a) The date the transaction was entered into;
- (b) The nature of the transaction (*e.g.*, swaps, options, puts, etc.);
- (c) The counterparty;
- (d) The volume of purchased power covered by the transaction;
- (e) The market price of purchased power on the day the transaction was entered into;
- (f) The price at which the transaction was acquired;
- (g) The forecasted mark-to-market gain or loss from each transaction as that amount was calculated by RMP for the purpose of determining the EBA costs from the last Utah general rate case;
- (h) The monthly total gains or losses of the transactions as calculated under subparagraph (g);
- (i) The price actually paid for the purchased power covered by each transaction;
- (j) The amount of the actual gain or loss on each transaction as of the settlement date;
- (k) The total gains or losses from the purchased power transactions for each month or partial month;
- (l) The period of time each financial hedging instrument was held; and

(m) What activity was taken, if any, to liquidate the instrument.

5. For each month, or partial month, during the period of time from the start of the EBA period through the end of the EBA period, RMP should identify separately for purchased power each physical hedge transaction that was settled and, with respect to each, state:

(a) The date the transaction was entered into;

(b) The nature of the transaction (*e.g.*, contract, spot market, etc.);

(c) The counterparty;

(d) The volume of purchased power covered by the transaction;

(e) The market price of purchased power on the day the transaction was entered into;

(f) The price at which the transaction was acquired;

(g) The forecasted mark-to-market gain or loss from each transaction as that amount was calculated by RMP for the purpose of determining the EBA costs from the last Utah general rate case;

(h) The monthly total gains or losses of the transactions as calculated under subparagraph (g);

(i) The price actually paid for the purchased power covered by each transaction;

(j) The amount of the actual gain or loss on each transaction as of the settlement date;

(k) The total gains or losses from the purchased power transactions for each month or partial month;

- (l) The period of time each physical hedging instrument was held; and
- (m) What activity was taken, if any, to liquidate the instrument.

6. With respect to the forecasted mark-to-market gain or loss from each swap for determining fuel and purchased power costs, RMP should explain in detail how it calculated the mark-to-market gain or loss for purposes of the last Utah general rate case and include an explanation of how it determined the price of the swap as of the date of settlement; for example, it should state whether RMP used a price forecasted at a single point in time, or at multiple points in time. RMP should identify the point(s) in time, the prices corresponding to each point in time, and provide an explanation of how it performed the calculation.

7. For each month of the EBA period:

- (a) Volume in Dths of fuel forecasted to be burned;
- (b) Volume in Dths of fuel actually burned;
- (c) Explanation for the difference, if any, between (a) and (b); and
- (d) Volume in Dths that were covered by swaps that were settled in that

month.

8. The Root Cause Analyses Report for each month of the EBA period to determine whether any outage prudence issues exist.

9. For planned generation unit maintenance, a comparison of the plant budgeted time off-line versus the actual time off-line, including the project reviews for outages.

10. For any unplanned generation outages:

- (a) The project reviews;
- (b) Any reports or analyses of liquidated damages issues;

- (c) Whether losses were insured, and by whom;
- (d) Identification of all responsible parties; and
- (e) Identification of all involved parties.

11. For any market-related reduction of generation:

- (a) The date on which the reduction first occurred;
- (b) The extent of the reduction;
- (c) The reason for the reduction;
- (d) The duration of the reduction;
- (e) An explanation of what was done with any unused fuel as a result of the

reduction; and

- (f) Whether there was a swap settled for the same time-period, and if so;
 - (i) The date the swap was entered into;
 - (ii) The volume in Dths of natural gas covered by the swap;
 - (iii) The price at which the swap was settled; and
 - (iv) What was done with the swap.

12. For any other unforced reduction of generation:

- (a) The date on which the reduction first occurred;
- (b) The extent of the reduction;
- (c) The reason for the reduction;
- (d) The duration of the reduction;
- (e) An explanation of what was done with any unused fuel as a result of the

reduction; and

- (f) Whether there was a swap settled for the same time-period, and if so;
 - (i) The date the swap was entered into;
 - (ii) The volume in Dths of natural gas covered by the swap;
 - (iii) The price at which the swap was settled; and
 - (iv) What was done with the swap.

13. All economic analyses conducted recommending new contracts for eligible fuel and purchased power for the EBA period (excluding short-term firm and non-firm contracts) and copies of the contracts.

14. Generation logs for the EBA period.

15. For each month in the EBA period, the market prices for electricity corresponding to each buy/sell electricity transaction for the various markets in which PacifiCorp is involved.

16. Detailed wheeling costs by contract booked for the EBA period.

17. A comparison of the monthly budgeted eligible fuel and purchased power costs versus the actuals.

18. In addition to FERC account level detail, and in addition to such entries as total dollars of transactions with individual parties and total dollars of fuel cost at each plant, the monthly and annual filing information should provide detail on each type of transaction by party. But instead of simply disclosing that RMP purchased (sold) \$x of power from (to) Party ABC, the information should break down \$x into all of the applicable categories including long-term firm, short-term firm, long-term non-firm, short-term non-firm, day-ahead, real time, etc. Gas and coal purchases should be similarly disaggregated so as to disclose the nature of the purchase including whether spot, contract, or other arrangement.

19. Appropriate planning information should be provided to enable review and determination whether power purchases and sales, fuel purchases, fuel and power hedges, and other transactions are consistent with RMP's overall power supply and price-risk management plan. Evaluation of this information is, of course, more wide-ranging than looking at individual monthly data. Transactions over a period of time must be reviewed in the context of these planning and execution guideline documents.

20. Power sales transactions where the purchaser is not explicitly charged for the use of PacifiCorp's transmission system should be specifically noted and explanations provided as to why no transmission revenue was collected. This information will help determine whether or not transmission revenues should be imputed to the transactions and credited to customers.

21. Performance characteristics on all generation resources should be provided. This includes heat rate, equivalent availability factor, equivalent forced outage rate, and capacity factor.

22. RMP should explicitly disclose each transaction with affiliates. This will help guide the review so that these types of transactions, where the possibility of abuse is much greater than in the case of transactions with non-affiliated parties, are given close scrutiny.

23. RMP should provide a listing, and a description of the contents, of each type of report that its recordkeeping systems are capable of producing. Knowledge of these reports will reduce the amount of time that reviewers must spend in assembling information to review.

24. For each generation resource³ in which PacifiCorp has an ownership interest, the Company should provide for each month of the EBA period:

- (a) The forecasted output;
- (b) The actual output; and
- (c) An explanation for any discrepancy between (a) and (b).

25. For all fuel produced by PacifiCorp or acquired from a PacifiCorp affiliate, the Company should provide for each month of the EBA period:

- (a) Identification of the affiliate, if applicable;
- (b) The natural source of the fuel (*e.g.*, mine if coal, gas field if natural gas);
- (c) The forecasted volume to be produced from each natural source;
- (d) The actual volume produced from each natural source;
- (e) An explanation for any discrepancy between (c) and (d);
- (f) If priced by transfer price:
 - (i) How the transfer price is established;
 - (ii) How the transfer price is changed; and
 - (iii) Benchmarks used to evaluate whether the transfer price should be

changed; and

- (g) If costs are flowed through:
 - (i) How the cost is established;
 - (ii) How the cost is changed; and
 - (iii) Elements of the cost.

³ For wind resources, each wind farm should be considered the generation resource rather than the individual wind turbine.

26. In order to evaluate whether the EBA is in fact in the public interest and should be continued, certain records need to be prepared and maintained by not only the Company, but also the DPU⁴ so that parties can determine whether the Company is saving money by implementing the EBA and whether prices to the rate payers have gone up or down as a result of the EBA implementation. These reports should at a minimum track the Company's internal and external fees and costs as well and the Division's internal and external fees and costs for administrative proceedings like general rate cases and the EBA cases. The Company also claimed that fuel costs would be reduced by an EBA. Therefore, the Company and the Division should begin preparing and maintaining reports that would show how fuel costs were reduced as a result of the EBA. The Company claimed there would be fewer general rate cases as well. Nevertheless, the Company now claims there will be a general rate case every year in addition to the EBA. Somehow the Company needs to show that the public has benefitted as a result of this EBA.

Timing

Even with the expanded availability of information suggested above, and with the information being provided on a monthly basis, expecting the Division to complete a full review in a 45-day time period is unrealistic. In evaluating the amount of time to be allowed for the process, it must be recognized that with the adoption of the EBA, this is the only opportunity for prudence review of the specific fuel and power transactions. Instead of determining the appropriate and reasonable level of cost to include in rates as part of the rate case process, the task now becomes one of determining the prudence of what the utility actually did over an historic period of time. Unless the time allowed is adequate to permit a full and comprehensive

⁴ Intervenors and the Office of Consumer Services should also be preparing and maintaining similar reports.

review with the benefit of all relevant data, there is a high likelihood that customers will be charged more than they should for electricity.

In addition, an opportunity should be provided for interested customers (and other stakeholders) to participate in the review process, or at least to review and comment on the findings of the Division review. After all, it is customers who are required to pay the bills, so, just like in a rate case, they should have the opportunity for meaningful input into the process of determining rates.

UIEC recommends that the Division have at least 180 days, instead of only 45 days, to perform its review and, unless customers are allowed to participate fully in the 180 day review, that customers be given a minimum 30 days to review the Division's findings and note any disputes in a filing with the Commission.

Delivery

All data should be provided electronically.

cc: certificate of service

ATTACHMENT



201 South Main, Suite 2300
Salt Lake City, Utah 84111

February 2, 2012

F. Robert Reeder
William J. Evans
Vicki M. Baldwin
Patrice Lemasney
Parsons Behle & Latimer
201 South Main Street, Suite 1800
Salt Lake City, Utah 84111

RE: UT Docket No. 09-035-15 (09-035-21, 11-035-200, 11-035-T10)
UIEC 23rd Set Data Request (1-6)

Please find enclosed Rocky Mountain Power's Responses to UIEC 23rd Set Data Requests 23.1-23.6.

If you have any questions, please call Barry Bell at (801) 220-4985.

Sincerely,

Dave Taylor/ken
Dave Taylor
Manager, Regulation

Enclosure

cc: Cheryl Murray/OCS (C)
Dan Gimble/OCS (C)
Neal Townsend/UAE (C)
Kevin Higgins/UAE (C)
Gary A. Dodge/UAE (C)
Dennis Miller/DPU (C)
Peter J. Mattheis/Nucor (C)
Eric J. Lacey/Nucor (C)
Holly Rachel Smith/Wal-Mart (C)
Steve Chriss/Wal-Mart (C)
Nancy Kelly/WRA (C)
Sophie Hayes/UCE (C)

09-035-15, 09-035-21, 11-035-200, 11-035-T10/Rocky Mountain Power
February 2, 2012
UIEC Data Request 23.1

UIEC Data Request 23.1

For each month, or partial month, during the period of time from September 21, 2011 through December 31, 2011 please explain what volume (in Dth) of natural gas consumed during that period of time was hedged with swaps, what volume was purchased for consumption by contract and, of those volumes, how much was purchased at indexed price, and how much was purchased at a fixed price.

Response to UIEC Data Request 23.1

This request was submitted jointly under Docket Nos. 09-035-15, 09-035-21, 11-035-200, and 11-035-T10. To the extent the request was submitted under Docket No. 09-035-15, the Company objects to the request as this matter has concluded. To the extent the request was submitted under Docket No. 09-035-21, the Company objects to the request on the grounds that Docket No. 09-035-21 is not an open and/or active matter; therefore the request is not likely to lead to the discovery of admissible evidence. To the extent the request was submitted under Docket No. 11-035-200, the Company objects on the grounds that it is premature. To the extent the request was submitted under Docket No. 11-035-T10, the Company objects on the grounds that it is outside the scope of this compliance docket.

The Company anticipates filing its first EBA docket by March 15, 2012 to address NPC and related costs during the timeframe identified in this request; the requested data will be developed and available in that docket.

09-035-15, 09-035-21, 11-035-200, 11-035-T10/Rocky Mountain Power
February 2, 2012
UIEC Data Request 23.2

UIEC Data Request 23.2

For each month, or partial month, during the period of time from September 21, 2011 through December 31, 2011, identify each natural gas swap that was settled and, with respect to each swap, state:

- (a) The date the swap was entered into;
- (b) The volume of natural gas covered by the swap;
- (c) The market price of natural gas on the day the swap was entered into;
- (d) The price at which the swap was acquired;
- (e) The forecasted mark-to-market gain or loss from each swap as that amount was calculated by RMP for the purpose of determining net power costs in the last Utah general rate case;
- (f) The monthly total gains or losses of the swaps as calculated under subparagraph (e);
- (g) The price actually paid for the natural gas covered by each swap;
- (h) The amount of the actual gain or loss on each swap as of the settlement date; and
- (i) The total gains or losses from natural gas swaps for each month or partial month.

Response to UIEC Data Request 23.2

This request was submitted jointly under Docket Nos. 09-035-15, 09-035-21, 11-035-200, and 11-035-T10. To the extent the request was submitted under Docket No. 09-035-15, the Company objects to the request as this matter has concluded. To the extent the request was submitted under Docket No. 09-035-21, the Company objects to the request on the grounds that Docket No. 09-035-21 is not an open and/or active matter; therefore the request is not likely to lead to the discovery of admissible evidence. To the extent the request was submitted under Docket No. 11-035-200, the Company objects on the grounds that it is premature. To the extent the request was submitted under Docket No. 11-035-T10, the Company objects on the grounds that it is outside the scope of this compliance docket.

The Company anticipates filing its first EBA docket by March 15, 2012 to address NPC and related costs during the timeframe identified in this request; the requested data will be developed and available in that docket.

09-035-15, 09-035-21, 11-035-200, 11-035-T10/Rocky Mountain Power
February 2, 2012
UIEC Data Request 23.3

UIEC Data Request 23.3

With respect to your response to subsection (e) of Request No. 23-2, please explain in detail how you calculated the mark-to-market gain or loss for purposes of the last Utah general rate case and include an explanation of how you determined the price of the swap as of the date of settlement; for example, state whether you used a price forecasted at a single point in time, or at multiple points in time, identify the point(s) in time, the prices corresponding to each point in time, and state how you performed the calculation.

Response to UIEC Data Request 23.3

This request was submitted jointly under Docket Nos. 09-035-15, 09-035-21, 11-035-200, and 11-035-T10. To the extent the request was submitted under Docket No. 09-035-15, the Company objects to the request as this matter has concluded. To the extent the request was submitted under Docket No. 09-035-21, the Company objects to the request on the grounds that Docket No. 09-035-21 is not an open and/or active matter; therefore the request is not likely to lead to the discovery of admissible evidence. To the extent the request was submitted under Docket No. 11-035-200, the Company objects on the grounds that it is premature. To the extent the request was submitted under Docket No. 11-035-T10, the Company objects on the grounds that it is outside the scope of this compliance docket.

The Company anticipates filing its first EBA docket by March 15, 2012 to address NPC and related costs during the timeframe identified in this request; the requested data will be developed and available in that docket.

UIEC Data Request 23.4

For each month during the twelve month period ending May 31, 2013 (the test year for the anticipated Utah general rate case), identify each natural gas swap to be settled during each month and state the following:

- (a) The date the swap was entered into;
- (b) The volume of natural gas covered by the swap;
- (c) The market price of natural gas on the day the swap was entered into;
- (d) The price at which the swap was acquired;
- (e) The forecasted price of natural gas on the day the swap is to be settled, forecasted as of the date of your response to these data requests, and the mark-to-market gain or loss as of that date;
- (f) The monthly total gains or losses as calculated under subparagraph (e).
- (g) The forecasted mark-to-market gain or loss from each swap as calculated by RMP for the purpose of determining net power costs in the anticipated Utah general rate case to be filed in 2012;
- (h) The monthly total gains or losses as calculated under subparagraph (g);
- (i) The forecasted mark-to-market gain or loss from each swap as calculated by RMP for the purpose of determining net power costs in the current Wyoming general rate case; and
- (j) The monthly total gains or losses as calculated under subparagraph (g).

Please update your response to this data request as more information becomes available for the time period in question.

Response to UIEC Data Request 23.4

This request was submitted jointly under Docket Nos. 09-035-15, 09-035-21, 11-035-200, and 11-035-T10. To the extent the request was submitted under Docket No. 09-035-15, the Company objects to the request as this matter has concluded. To the extent the request was submitted under Docket No. 09-035-21, the Company objects to the request on the grounds that Docket No. 09-035-21 is not an open and/or active matter; therefore the request is not likely to lead to the discovery of admissible evidence. To the extent the request was submitted under Docket No. 11-035-200, the Company objects on the grounds that it is premature. To the extent the request was submitted under Docket No. 11-035-T10, the Company objects on the grounds that it is outside the scope of this compliance docket.

09-035-15, 09-035-21, 11-035-200, 11-035-T10/Rocky Mountain Power
February 2, 2012
UIEC Data Request 23.5

UIEC Data Request 23.5

With respect to your responses to subsections (g) and (i) of Request No 23-4, please explain in detail how you calculated the mark-to-market gain or loss for purposes of the last Utah general rate case and the current Wyoming rate case and include an explanation of how you determined the price of the swap as of the date of settlement; for example, state whether you used a price forecasted at a single point in time, or at multiple points in time, identify the point(s) in time, the prices corresponding to each point in time, and state how you performed the calculation.

Please update your response to this data request as more information becomes available for the time period in question.

Response to UIEC Data Request 23.5

This request was submitted jointly under Docket Nos. 09-035-15, 09-035-21, 11-035-200, and 11-035-T10. To the extent the request was submitted under Docket No. 09-035-15, the Company objects to the request as this matter has concluded. To the extent the request was submitted under Docket No. 09-035-21, the Company objects to the request on the grounds that Docket No. 09-035-21 is not an open and/or active matter; therefore the request is not likely to lead to the discovery of admissible evidence. To the extent the request was submitted under Docket No. 11-035-200, the Company objects on the grounds that it is premature. To the extent the request was submitted under Docket No. 11-035-T10, the Company objects on the grounds that it is outside the scope of this compliance docket.

09-035-15, 09-035-21, 11-035-200, 11-035-T10/Rocky Mountain Power
February 2, 2012
UIEC Data Request 23.6

UIEC Data Request 23.6

Please state the amount of swap losses for which RMP will seek cost recovery through the Energy Balancing Account in its upcoming EBA filing and, with reference to your response to Request Nos. 23-3 and 23-5 above, explain how the losses were calculated. Please update your response to this data request as more information becomes available.

Response to UIEC Data Request 23.6

This request was submitted jointly under Docket Nos. 09-035-15, 09-035-21, 11-035-200, and 11-035-T10. To the extent the request was submitted under Docket No. 09-035-15, the Company objects to the request as this matter has concluded. To the extent the request was submitted under Docket No. 09-035-21, the Company objects to the request on the grounds that Docket No. 09-035-21 is not an open and/or active matter; therefore the request is not likely to lead to the discovery of admissible evidence. To the extent the request was submitted under Docket No. 11-035-200, the Company objects on the grounds that it is premature. To the extent the request was submitted under Docket No. 11-035-T10, the Company objects on the grounds that it is outside the scope of this compliance docket.

The Company anticipates filing its first EBA docket by March 15, 2012 to address NPC and related costs during the timeframe identified in this request; the requested data will be developed and available in that docket.