

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of Rocky Mountain Power for Approval of the Pole Attachment Agreement between Rocky Mountain Power and Zayo Group, LLC)
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DOCKET NO. 12-035-114

ORDER APPROVING POLE ATTACHMENT AGREEMENT, SUBJECT TO FILING OF REVISED ELECTRIC SERVICE SCHEDULE NO. 4

ISSUED: January 9, 2013

By The Commission:

This matter is before the Commission on the application of PacifiCorp, doing business as Rocky Mountain Power (“Company”), for approval of a pole attachment agreement (“Agreement”) with Zayo Group, LLC (“Zayo”). On November 30, 2012, the Company filed its application (“Application”), together with copies of the Agreement and the Company’s Joint Use Distribution Construction Standards (EU). Zayo signed the Agreement on October 31, 2012, and the Company signed on November 14, 2012.

On December 28, 2012, the Division of Public Utilities (the “Division”) submitted its recommendation to approve the application, subject to the rental rates and fees in the Agreement being consistent with Electric Service Schedule No. 4. The Division finds the Agreement is reasonable and should be approved.

ORDER

Having reviewed the application and attachments, and the Division’s recommendation, the Commission finds approval of the application and the Agreement to be just and reasonable, and in the public interest, and we approve the application and the Agreement, subject to the rental rates and fees in the Agreement being consistent with Electric Service Schedule No. 4.

DOCKET NO. 12-035-114

- 2 -

DATED at Salt Lake City, Utah, this 9th day of January, 2013.

/s/ Melanie A. Reif
Administrative Law Judge

Approved and confirmed this 9th day of January, 2013, as the Order Approving Pole Attachment Agreement, Subject to Filing of Revised Electric Service Schedule No. 4 issued by the Public Service Commission of Utah.

/s/ Ron Allen, Chairman

/s/ David R. Clark, Commissioner

/s/ Thad LeVar, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary
D#240927

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 9th day of January, 2013, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Electronic-Mail:

Data Request Response Center (datarequest@pacificorp.com)
PacifiCorp

Yvonne Hogle (yvonne.hogle@pacificorp.com)
Dave Taylor (dave.taylor@pacificorp.com)
Rocky Mountain Power

By U.S. Mail:

Zayo Group, LLC
400 Centennial Parkway, Ste. 200
Louisville, CO 80027

By Hand-Delivery:

Division of Public Utilities
160 East 300 South, 4th Floor
Salt Lake City, Utah 84111

Office of Consumer Services
160 East 300 South, 2nd Floor
Salt Lake City, Utah 84111

Administrative Assistant