

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint of
Blyncsy, Inc. against Rocky Mountain Power

DOCKET NO. 16-035-41

SCHEDULING ORDER AND
NOTICE OF HEARING

ISSUED: December 2, 2016

On September 27, 2016, Blyncsy, Inc. (Blyncsy) filed a formal complaint against Rocky Mountain Power, a public utility. On October 27, 2016, Rocky Mountain Power answered the complaint and filed a motion to dismiss it.

On November 10, 2016, the parties agreed to stay further proceedings in order to allow Blyncsy to hire counsel. On November 21, 2016, Gary A. Dodge and Phillip J. Russell entered their appearance as counsel for Blyncsy.

On December 1, 2016, the parties, including the Utah Division of Public Utilities (Division), convened for a scheduling conference. Pursuant to an agreement of the parties, this matter shall proceed as follows:

1. Rocky Mountain Power's pending motion to dismiss shall be treated as a motion for summary judgment.
2. Blyncsy shall respond to the motion for summary judgment by **Friday, February 3, 2017**. Blyncsy's response may be accompanied by testimony.
3. If the Division chooses to file an initial brief in this matter, it shall do so by **Friday, February 3, 2017**.

4. By **Friday, February 24, 2017**, Rocky Mountain Power shall file a reply to Blynscy's response to the motion for summary judgment. Rocky Mountain Power's reply may be accompanied by testimony.
5. Any request for intervention shall be filed by **Friday, February 24, 2017**.
6. The parties shall file any final briefing by **Friday, March 10, 2017**.
7. The parties shall conclude discovery by **Friday, March 10, 2017**.
8. The parties shall file witness and exhibit lists by **Monday, March 20, 2017**.

NOTICE OF HEARING

Unless this matter is settled or resolved on summary judgment, the hearing shall take place on **Wednesday, April 5, 2017**, beginning at 9:00 A.M. in the Fourth Floor Hearing Room 451, Heber M. Wells Bldg., 160 East 300 South, Salt Lake City, Utah.

Individuals wishing to participate in the hearing by telephone should contact the Commission two days in advance by calling (801) 530-6716 or (toll-free) 1-866-PSC-UTAH (1-866-772-8824) to receive a bridge number and participant passcode. Participants attending by telephone should then call the bridge number five minutes before the hearing, entering the passcode followed by the # sign to ensure participation.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the hearing should notify the Commission at 160 East 300 South, Salt Lake City, Utah, 84114, (801) 530-6716, at least three working days prior to the hearing.

DOCKET NO. 16-035-41

- 3 -

DATED at Salt Lake City, Utah, December 2, 2016.

/s/ Jennie T. Jonsson
Administrative Law Judge

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DW#290621

CERTIFICATE OF SERVICE

I CERTIFY that on December 2, 2016, a true and correct copy of the foregoing was served upon the following as indicated below:

By U.S. Mail:

Mark Pittman, CEO
Blyncsy, Inc.
224 S. 200 W., Suite 110
Salt Lake City, UT 84101

By Electronic-Mail:

Data Request Response Center (datarequest@pacificorp.com)
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By Hand-Delivery:

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Administrative Assistant