

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the
Approval of)
Moon Lake Electric)
Association)
Revolving Line of Credit

DOCKET NO. 05-030-01
REPORT AND ORDER

ISSUED: March 14, 2005

By The Commission:

BACKGROUND AND FINDINGS

On February 12, 2005, Moon Lake Electric Association (“Moon Lake”) filed an application pursuant to *Utah Code Ann.* '54-4-31 seeking approval for the issuance of debt not to exceed \$10,000,000.00 for a period of not more than thirty (30) years to be financed by the National Rural Utilities Cooperative Finance Corporation (“CFC”). Although Moon Lake anticipates being able to finance future capital projects through existing funds, given the age of some Moon Lake facilities, this loan is intended to provide a backup source of funding for future capital additions and was approved by Moon Lake’s Board of Directors on January 26, 2005.

On February 25, 2005, the Division of Public Utilities (“Division”), having reviewed Moon Lake’s current financials, filed its analysis recommending approval of the Moon Lake application.

Utah Administrative Code Rule 746-110-1, authorizes the Commission to adjudicate a matter informally under Utah Code Annotated § 63-46b-5 when the Commission “determines that the matter can reasonably be expected to be unopposed and uncontested.” Based upon the information submitted by Moon Lake and the Division’s recommendation, and no opposition appearing, we determine to proceed informally without hearing and conclude that the proposed issuance of debt will not harm the State of Utah, its citizens, or the Utah customers of Moon Lake and is therefore in the public interest.

Wherefore, we enter the following:

ORDER

1. Tentatively approving the proposed issuance of debt by Moon Lake

Electric Association in the form of a loan from the National Rural Utilities Finance Corporation with a cap of \$10,000,000.00 for a period of not more than 30 years.

2. Absent meritorious protest, this Order shall automatically become effective without further action twenty (20) days from the date of this Order.

3. Persons desiring to protest this Order may file said protest prior to the effective date of this Order. If the Commission finds said protest to be meritorious, the effective date shall be suspended pending further proceedings.

Pursuant to Utah Code 63-46b-12 and 54-7-15, agency review or rehearing of this order may be obtained 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 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 14th day of March, 2005.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#43230