

## MEMORANDUM

**To:** Utah Public Service Commission

**From:** UAE Intervention Group

**Date:** December 29, 2005

**Re:** UAE Intervention Group Comments on the Report of the Filing Requirements Subgroup of the Test Period Task Force; Docket No. 04-999-05

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Lowell Alt, chairman of the Filing Requirements Subgroup (“Subgroup”) of the Test Period Task Force, filed a final Report (“Report”) of the Subgroup on December 14, 2005. In this memorandum, the UAE Intervention Group (“UAE”) provides its comments and recommendations with respect to the Report.

Much progress was made in the Subgroup and the Discovery Task Force in developing minimum filing requirements and master data requests. UAE is grateful to Mr. Alt and all other participants for their efforts in this regard. Unfortunately, final agreement could not be reached by the time the Report was filed. It is UAE’s understanding that consensus was essentially reached on the draft minimum filing requirements attached to the Report, with the exception of the accelerated test year timeline (“Timeline”) proposed in Section B of the draft filing requirements.

The proposed Timeline contemplates that a request for a test year hearing will be made within 14 days of a general rate case (“GRC”) filing, that a hearing will be held soon thereafter, and that the Commission will issue an order establishing the appropriate test year within 65 days of filing. Obviously, such an accelerated Timeline is workable

only if the parties are able to promptly obtain all information and data necessary to evaluate test year issues, determine test year positions and prepare test year testimony. As a practical matter, the proposed Timeline allows no time for normal discovery. Thus, in order for the Timeline to be workable, the utility must provide to all interested parties, upon the filing of its GRC, all data and information potentially relevant to a contested test year determination. Unfortunately, agreement could not be reached as to the type of data and information that may be relevant to a test year determination.

In a separate stipulation, PacifiCorp has agreed to provide information in its next GRC that hopefully will be sufficient to enable parties to address test year issues. Thus, assuming that all appropriate information is provided upon the filing of the GRC, the proposed Timeline should be workable in that case. Experience gained in that proceeding should be valuable in finalizing minimum filing requirements and master data requests. UAE thus recommends that the Commission open a docket for the purpose of adopting rules to establish minimum filing requirements and master data requests following the upcoming PacifiCorp GRC.