

October 16, 2017

***VIA ELECTRONIC FILING***

Public Service Commission of Utah  
Heber M. Wells Building, 4<sup>th</sup> Floor  
160 East 300 South  
Salt Lake City, UT 84111

Attention: Gary Widerburg  
Commission Secretary

**Re: Docket No. 17-R001-01 -- In the Matter of Utah Administrative Code R746-1, Amendment to Enact Provisions Consistent with the Open and Public Meetings Act, to Clarify Requirements that Apply to Persons Granted Intervenor Status, and Clarify Requirements that Apply to Attorneys Appearing before the PSC but not Licensed with the Utah State Bar**

Pursuant to the Response to Comments and Notice of Reply Comment Deadline, issued September 21, 2017, in the above referenced matter PacifiCorp (dba Rocky Mountain Power) submits for electronic filing its reply comments. The Company generally supports the proposed changes, and believes the proposals provide necessary clarification, and are in the public interest. The Company's reply regarding the proposed amendments to specific sections and comments from the intervenors are provided below.

**Reply regarding R746-1-107**

The Company strongly supports the proposed amendments to R746-1-107, Representation of Parties. The amendments will significantly reduce the administrative burden on the Company and other intervenors that are represented by counsel licensed in another state, as well as reducing costs as noted by the Commission in the Notice of Proposed Rulemaking.

**Reply regarding R746-1-108, R746-1-401, and R746-1-704**

The Company supports the comments filed by the Division of Public Utilities ("DPU"), and the Commission's Response to Comments and Notice of Reply Comments ("Response") regarding R746-1-108, R746-1-401, and R746-1-704.

The Company believes that the amendments provide much needed clarity that parties are not permitted to make filings that are not contemplated by the scheduling order in a proceeding. As noted by the Commission's Response, the proposed amendments are not an absolute bar to a party filing comments or legal briefs—the amended rules merely require that a party wishing to do so must make a request in advance, either at the scheduling conference or by motion. This will contribute to an "orderly and prompt" proceeding, and will not materially impair the interests of justice, as required by Utah Code Ann. § 63G-4-207(2)(b).

The Company believes that the Commission's Response provides additional clarity regarding the concerns raised by the Utah Industrial Energy Consumers ("UIEC") with respect to the purpose

of the rule and reason for the change, particularly why intervenors should be, and are held to a higher standard than non-parties in a proceeding. The Company supports implementation of the amendments, and the rejection by the Commission of the Objection filed by UIEC.

The Company supports the comments filed by the DPU, which state that allowing parties to file comments in lieu of testimony deprives other parties of the opportunity to question and cross-examine witnesses, which allows the comments into the record without being challenged. The Company also believes that the Rules eliminate uncertainty, because as the Division notes, it is unclear what evidentiary weight such comments should be given. Accordingly, the Company supports the proposed amendments to R746-1-108 and R756-1-401.

**Reply regarding R746-1-110 and R746-1-111**

The Company supports the adoption of R746-1-110 and R746-1-111. The Company believes both rules will provide flexibility for the Commission, and allow for greater participation by the public.

It is respectfully requested that all formal correspondence or data requests regarding this filing be addressed to:

By e-mail (preferred):        [datarequest@pacificorp.com](mailto:datarequest@pacificorp.com)  
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                                         PacifiCorp  
                                         825 NE Multnomah, Suite 2000  
                                         Portland, Oregon, 97232

Informal questions should be directed to Jana Saba at (801) 220-2823.

Sincerely,



Jeffrey K. Larsen  
Vice President, Regulation

Enclosures

cc:     Division of Public Utilities  
         Utah Industrial Energy Consumers

**CERTIFICATE OF SERVICE**

Docket No. 17-R001-01

I hereby certify that on October 16, 2017, a true and correct copy of the foregoing was served by electronic mail to the following:

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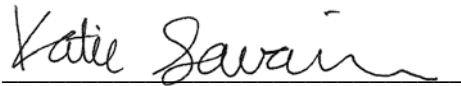
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**Utah Industrial Energy Consumers**

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