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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF UTAH

In the Matter of the Application of PacifiCorp for an Increase in its Rates and Charges. (MEMORANDUM OF THE COMMITTEE OF CONSUMER SERVICES IN RESPONSE AND OPPOSITION TO PETITIONS FOR REHEARING OR RECONSIDERATION OF THE LAND AND WATER FUND OF THE ROCKIES AND THE UTAH ENERGY OFFICE (Docket No. 01-035-01

Pursuant to Rule R746-100-11 F, the Committee of Consumer Services (the “Committee”) submits this Memorandum in response and opposition to the Request for Rehearing of the Land and Water Fund of the Rockies and the Utah Energy Office’s Petition for Rehearing or Reconsideration in this matter. The Committee joins with the Utah Association of Energy Users Intervention Group (“UAE”) in submitting that the Commission should reject both petitions because they fail to establish a proper basis for rehearing or reconsideration.

The Committee here adopts and supports the reasons what the Commission should reject both petitions which are set forth in the UAE’s Memorandum. Specifically, the Committee calls attention to the point raised in the UAE’s Memorandum that Mr. Burks and Mr. Nichols stated in live testimony at the hearing that they were not asking the Commission to order PacifiCorp to do

anything with respect to DSM programs, but rather were asking the Company to file tariffs to implement the recommended programs. In reliance upon Messers Burks and Nichols live testimony the Committee did not offer additional evidence at that time in support of the Committee's position.

The Committee continues to believe that the specific programs supported by the Utah Energy Office have not been subjected to sufficient critical analysis by all parties and are therefore premature. We believe the Commission was correct in ordering the Company to "evaluate each program" and "bring forth the least-cost resources and implement them in a timely fashion." (Report and Order at 40).

DATED this _____ day of _____, 2001.

Reed T. Warnick
Attorney for Committee of Consumer Services

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Memorandum of the UAE Intervention Group in Response and Opposition to Petitions for Rehearing or Reconsideration of the Land and Water Fund of the Rockies and the Utah Energy Office Memorandum of the UAE Intervention Group in Response and Opposition to Petitions for Rehearing or Reconsideration of the Land and Water Fund of the Rockies and the Utah Energy Office was served by mailing the same, first-class postage pre-paid, this ____ day of October, 2001, to:

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