

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of)
PACIFICORP for an Investigation of Inter-)
Jurisdictional Issues)

DOCKET NO. 02-035-04
SECOND SCHEDULING ORDER

ISSUED: November 13, 2003

By the Commission:

Pursuant to the Scheduling Order issued October 7, 2003, a scheduling conference was held in this matter on October 24, 2003. Gregory B. Monson and Jennifer E. Horan of Stoel Rives, LLP appeared for PacifiCorp. Michael Ginsberg, Assistant Attorney General, appeared for the Division of Public Utilities. Reed T. Warnick, Assistant Attorney General, appeared for the Committee of Consumer Services. Gary A. Dodge of Hatch James & Dodge appeared for the Utah Association of Energy Users. William J. Evans of Parsons Behle & Latimer appeared for the Utah Industrial Energy Consumers. Major Craig Paulson appeared by telephone for the United States Federal Executive Agencies. Eric Guidry appeared by telephone for the Western Resources Advocates.

PacifiCorp filed its "Motion for Ratification of Inter-Jurisdictional Cost Allocation Protocol" on September 30, 2003. It supported the motion with the filed testimony of four witnesses. In the testimony, the Company described its proposed Inter-Jurisdictional Cost Allocation Protocol (Protocol).

During the scheduling conference, the parties and the Commission discussed scheduling and procedures in this matter. It was noted that the schedule recently adopted in a companion proceeding in Oregon included proposed multi-state meetings at which Commissioners would attend and discuss possible consistent resolution of the issues presented. The Commission stated that it wished to participate in such meetings. Some parties questioned whether such meetings would be appropriate in the context of a formal adjudicative proceeding. In response to the Commission's preference and the concerns expressed by some parties, PacifiCorp agreed to review what type of legal proceeding should govern the Commission's consideration of PacifiCorp's request in this docket and to make a filing with its recommendation. The parties agreed to respond to the filing and to preliminarily identify initial issues with PacifiCorp's recommended Protocol. It was also agreed to set dates for technical conferences in this matter. In light of objections from certain parties to additional scheduling at this time, the Commission stated that it would postpone setting the rest of the procedural schedule, including the filing of testimony and hearing dates, until the Commission has heard from the parties and determined the type of legal proceeding which will be used to allow appropriate consideration of the Protocol and any alternatives proposed by other parties.

Therefore, after hearing from the parties and being fully advised, the Commission makes the following order regarding the schedule in this docket:

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that

1. The following schedule shall apply in this matter unless otherwise directed by the Commission:

November 7, 2003	PacifiCorp will make a filing describing the type of legal proceeding that may provide a vehicle for the Commission's consideration of PacifiCorp's proposed Protocol and alternatives proposed by other parties.
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November 21, 2003	All other parties will file responses to PacifiCorp's November 7, 2003 filing and provide their preliminary issues lists with respect to the proposed Protocol.
December 9, 2003	Technical Conference
February 25 and 26, 2004	Technical Conference
April 5, 2004	Technical Conference
May 18, 2004	Technical Conference

2. Following review of PacifiCorp's November 7, 2003 filing and the filing of other parties on November 21, 2003, the Commission will determine the nature of the proceeding and will schedule multi-state meetings, testimony filings and hearings as appropriate.

3. All technical conferences in the foregoing schedule shall be held under the direction of either the Commission or the Division of Public Utilities in Room 427, Heber M. Wells Office Building, 160 East 300 South, Salt Lake City, Utah. Unless otherwise noticed, each technical conference shall commence at 9:00 a.m. Parties desiring to participate in a technical conference by telephone shall notify Julie Orchard, Commission Secretary, at 160 East 300 South, Salt Lake City, Utah, 84111, (801) 530-6713, at least one business day in advance of the technical conference.

4. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during any hearing or conference in this matter should notify Julie Orchard, Commission Secretary, at 160 East 300 South, Salt Lake City, Utah, 84111, (801) 530-6713, at least three working days prior to the hearing or conference.

DATED at Salt Lake City, Utah, this 13th day of November, 2003.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary

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