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Submitted October 27, 2004

**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

COMCAST CABLE	)	
COMMUNICATIONS, INC., a	)	
Pennsylvania Corp.,	)	
	)	<b>Docket No. 03-035-28</b>
Claimant,	)	<b>REQUEST TO SUBMIT FOR DECISION</b>
v.	)	
PACIFICORP, dba UTAH POWER,	)	<b>PACIFICORP'S MOTION TO STRIKE</b>
an Oregon Corporation,	)	<b>AFFIDAVIT OF GARY GOLDSTEIN</b>
	)	
Respondent.	)	

Pursuant to Utah Admin. Code § R746-100-4 and Rules 7(c)(1) and 7(d) of the Utah Rules of Civil Procedure, PacifiCorp submits this Request to Submit for Decision with respect to its Motion to Strike the Affidavit of Gary Goldstein.

On October 14, 2004, PacifiCorp filed a Motion to Strike the Affidavit of Comcast witness Gary Goldstein, as well as the accompanying exhibits and portions of Comcast's post-hearing brief dealing with evidence that was developed after the close of the hearings in the captioned proceedings.

Comcast has filed no responsive pleading to PacifiCorp's motion. To the extent that the Commission is observing the Utah Rules of Civil Procedure in this proceeding, the 10-day time for filing a response under U. R. Civ. P. 7(c)(1) expired on October 25, 2004.

Accordingly, the matter is ready for decision, and PacifiCorp requests that the Presiding Administrative Law Judge issue an order granting PacifiCorp's unopposed motion, as filed on October 14, 2004.

RESPECTFULLY SUBMITTED this 27th day of October 2004.

PACIFICORP

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## CERTIFICATE OF SERVICE

I certify that on the 27th day of October 2004, a true and correct copy of **REQUEST TO SUBMIT FOR DECISION, PACIFICORP'S MOTION TO STRIKE AFFIDAVIT OF GARY GOLDSTEIN** was sent via e-mail and by U.S. mail to:

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