

March 30, 2005

Chairman Ric Campbell  
Utah Public Service Commission  
Heber Wells Bldg., 4<sup>th</sup> Floor  
160 East 300 South  
Salt Lake City, UT 84111

Re: Docket No. 04-035-01  
2003 Christmas Power Outage

Dear Chairman Campbell:

I have just learned today, by happenstance, that a technical conference in the above docket has been scheduled for April 4, 2005. I am concerned about what has become a pattern in this docket of lack of notice to me or to Alan Smith, not only about this meeting, but virtually every filing the Division has made with the Commission. I don't know who gets copies, but in a review of the Commission's file earlier this week, I was surprised to find several reports to the Commission dealing with substantive recommendations which have never been copied to us.

I am also concerned about the fact that there has never been, to my knowledge, a technical conference or other meeting in which a projected schedule of actions to be taken has ever been discussed. There has never been discussion of a discovery schedule, hearings, or other procedural matters which would move the investigation to a formal conclusion. You yourself have asked questions in earlier meetings about the experiences of other Wasatch Front municipal electric utilities during the 2003 Christmas storms, but the Division has not made an effort, of which I am aware, to gather the relevant information those utilities could share about their experiences. Logan City just went through a heavier storm in January 2005, but had nothing by way of outages similar to PacifiCorp.

We are interested in taking depositions of certain PacifiCorp officers. PacifiCorp thus far has insisted that any depositions be negotiated as to persons deposed and subject matter, which we have been unwilling to do beyond the general rule that the deposition questions would be related to the claims made in our petition. Resolution of these disagreements will likely require your assistance. We assume, but do not know, that the Commission plans to convene hearings before making a decision about PacifiCorp's request for treatment of the outage as a major event. Respectfully, therefore, we are requesting that a scheduling conference be convened to outline and

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schedule the matters which remain to be addressed in the docket. We also wish to renew our request that the Division be directed to copy us on its notices and filings with the Commission as the Commission's rules require.

Respectfully,

David R. Irvine

DRI:sp

cc: Commissioner Boyer  
Commissioner Allen  
Counsel of Record