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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

IN THE MATTER OF THE PETITION OF
DESERT POWER LP FOR APPROVAL OF
A CONTRACT FOR THE SALE OF
CAPACITY AND ENERGY FROM ITS
PROPOSED QF FACILITIES

Docket No. 04-035-04

PREFILED SUPPLEMENTAL DIRECT TESTIMONY OF ROGER J. SWENSON

Desert Power LP hereby submits the Prefiled Supplemental Direct Testimony of Roger J. Swenson in this Docket.

DATED this 16th day of April, 2004.

Callister Nebeker & McCullough

Stephen F. Mecham
Attorneys for Desert Power LP

PREFILED SUPPLEMENTAL DIRECT TESTIMONY

Of

ROGER J. SWENSON

On behalf of Desert Power LP

IN THE MATTER OF THE PETITION OF DESERT POWER LP FOR APPROVAL OF A
CONTRACT FOR THE SALE OF CAPACITY AND ENERGY FROM ITS PROPOSED QF
FACILITIES

Docket No. 04-035-04

April 16, 2004

Background

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Q. Please state your name and business address.

A. Roger J. Swenson , 1592 East 3350 South, Salt Lake City, Utah 84106.

Q. By whom are you employed and in what capacity?

A. I am a principal in the firm E-Quant Consulting, LLC. E-Quant Consulting, LLC is a private consulting firm specializing in energy matters.

Q. On whose behalf are you testifying in this proceeding?

A. My testimony is sponsored by Desert Power LP (“Desert Power”).

Q. Have you filed testimony previously in this matter?

A. Yes. I filed direct testimony January 22, 2004 with Desert Power’s contract and petition that initiated this proceeding. My credentials and professional background are summarized there.

Q. What is the purpose of your testimony?

A. My testimony here is to respond to specific differences between Pacificorp’s position and Desert Power’s contract that parties agreed should be addressed in this proceeding.

Q. Do you know the basis for Pacificorp’s positions on the specific items that are the subject of this docket?

A. No. While we have a list of issues with which Pacificorp disagrees or has questions, we have not had discussions with PacifiCorp that would allow us to know or understand their disagreements with specific provisions of Desert Power’s proposed contract.

Q. Do you stand by the contract terms and conditions as filed by Desert Power

1 **in this docket?**

2 A. Yes. I believe that the terms and conditions in the contract as filed are reasonable
3 and form a basis under which Desert Power could move forward to meet the
4 critical need for power in 2005. They represent Desert Power's position with
5 respect to each of the issues that are the subject of this proceeding.

6 **Q. Are the terms and conditions that are at issue here generally left for**
7 **negotiation?**

8 A. Yes. Many of the terms under discussion here are usually left for negotiation
9 between parties, but unfortunately, to this point there have not been fruitful
10 negotiations. We hope with a clearer understanding of the basis for the
11 disagreement over the specific items in this docket we may be able to move
12 forward, address those concerns, and reach a mutually acceptable agreement with
13 PacifiCorp

14 **Q. Does this conclude your supplemental direct testimony addressing these**
15 **contract differences?**

16 A. Yes

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was emailed or mailed, postage prepaid, this 17th day of April, 2004, to the following:

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