

Stephen F. Mecham, Bar No. 4089
CALLISTER NEBEKER & McCULLOUGH
10 East South Temple, Suite 900
Salt Lake City, Utah 84133
Tel: 801 530-7300
Fax: 801 364-9127
Attorneys for Desert Power, L.P.

UTAH PUBLIC
SERVICE COMMISSION

2007 MAR 12 A 8: 06

040254

RECEIVED


IN THE UTAH COURT OF APPEALS

Desert Power, L.P.,)	
)	STIPULATION TO EXTEND TIME
Petitioner)	Appeal No. 20061111-CA
)	
vs.)	Public Service Commission
)	Docket No. 04-035-04
)	
Public Service Commission of Utah,)	
)	
Respondent)	

Pursuant to Rule 26(a) of the Utah Rules of Appellate Procedure, the Parties to the above-captioned appeal have stipulated to extend by 30 days Desert Power, L.P.'s ("Desert Power") time to file the appellant's brief. Email messages from the Public Service Commission, the Division of Public Utilities, the Committee of Consumer Services, and PacifiCorp reflecting that agreement are attached. The original due date for filing Desert Power's brief was March 16, 2007. Under the terms of this stipulation and in accordance with the computation of time provision of Rule 22 of the Utah Rules of Appellate Procedure, Desert Power will file the appellant's brief Monday, April 16, 2007.

Dated this 9th day of March, 2007

CALLISTER NEBEKER & McCULLOUGH



Stephen F. Mecham
Attorneys for Petitioner

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Stipulation to Extend Time was mailed by first-class mail this 9th day of March, 2007, to the following:

Public Service Commission of Utah
Heber M. Well Building
160 East 300 South, 4th Floor
Salt Lake City, Utah 84111

Dean Brockbank
Counsel for PacifiCorp
201 South Main Street, Suite 2200
Salt Lake City, Utah 84111

David Elmont
Counsel for PacifiCorp
Barney McKenna & Olmstead
63 South 300 East, Suite 202
St. George, Utah 84771

Michael Ginsberg
Counsel for Division of Public Utilities
Assistant Attorney General
Heber M. Wells Building
160 East 300 South, 5th Floor
Salt Lake City, Utah 84114-0811

Paul Proctor
Counsel for Committee of Consumer Services
Assistant Attorney General
Heber M. Wells Building
160 East 300 South, 5th Floor
Salt Lake City, Utah 84114-0811

A handwritten signature in black ink, appearing to be "P. Proctor", is written above a horizontal line.

Stephen F. Mecham

From: Sandy Mooy [smooy@utah.gov]
Sent: Friday, February 23, 2007 8:26 AM
To: Stephen F. Mecham; Dean.Brockbank@PacifiCorp.com; Michael Ginsberg; Paul Proctor
Subject: Re:

The PSC would not oppose an extension.

>>> "Stephen F. Mecham" <sfmecham@cnmlaw.com> 02/22/07 10:32 PM >>>
According to the schedule in Desert Power's appeal of the PSC's decision in Docket No. 04-035-04 to the Court of Appeals, my brief is due March 16th. I'm not sure if all of you intend to participate, but if so, I am requesting that you stipulate to a 30 day extension. Please let me know soon if you concur. Thanks.

Steve

Stephen F. Mecham

Callister Nebeker & McCullough
10 East South Temple, Suite 900
Salt Lake City, UT 84133
Telephone: 801--530--7316
Facsimile: 801--364--9127
Toll Free: 800--825--9334
E-Mail: sfmecham@cnmlaw.com
Firm Website: www.cnmlaw.com

PLEASE NOTE: The information contained in this message may be privileged and confidential. If you are not the intended recipient, you are hereby notified that any review, printing, dissemination, distribution, copying or other use of this communication is strictly prohibited. If you have received this communication in error, please reply to the sender and delete all copies of the message.

Stephen F. Mecham

From: Michael Ginsberg [mginsberg@utah.gov]
Sent: Wednesday, February 28, 2007 1:54 PM
To: Stephen F. Mecham
Subject: Re:

Steve sorry for missing your E mail but we do not object to your extension. Mike

>>> "Stephen F. Mecham" <sfmecham@cnmlaw.com> 2/22/2007 10:32 PM >>>
According to the schedule in Desert Power's appeal of the PSC's decision in Docket No. 04-035-04 to the Court of Appeals, my brief is due March 16th. I'm not sure if all of you intend to participate, but if so, I am requesting that you stipulate to a 30 day extension. Please let me know soon if you concur. Thanks.

Steve

Stephen F. Mecham

Callister Nebeker & McCullough
10 East South Temple, Suite 900
Salt Lake City, UT 84133
Telephone: 801--530--7316
Facsimile: 801--364--9127
Toll Free: 800--825--9334
E-Mail: sfmecham@cnmlaw.com
Firm Website: www.cnmlaw.com

PLEASE NOTE: The information contained in this message may be privileged and confidential. If you are not the intended recipient, you are hereby notified that any review, printing, dissemination, distribution, copying or other use of this communication is strictly prohibited. If you have received this communication in error, please reply to the sender and delete all copies of the message.

Stephen F. Mecham

From: Paul Proctor [pproctor@utah.gov]
Sent: Friday, February 23, 2007 9:08 AM
To: Stephen F. Mecham; Dean.Brockbank@PacifiCorp.com; Michael Ginsberg; Sandy Mooy
Subject: Re:

The Committee will stipulate. I do not know if the Committee will participate in this appeal. I will be speaking with my client in the next week or so.

Stephen F. Mecham

From: Brockbank, Dean [Dean.Brockbank@PacifiCorp.com]
Sent: Friday, February 23, 2007 4:40 PM
To: Stephen F. Mecham; smooy@utah.gov; Michael Ginsberg; Paul Proctor
Cc: David Elmont
Subject: RE:

Rocky Mountain Power will not object to this delay, but will likely agree to future delays only in the event of compelling circumstances. Thanks. db

From: Stephen F. Mecham [mailto:sfmecham@cnmlaw.com]
Sent: Thursday, February 22, 2007 10:33 PM
To: smooy@utah.gov; Michael Ginsberg; Brockbank, Dean; Paul Proctor
Subject:

According to the schedule in Desert Power's appeal of the PSC's decision in Docket No. 04-035-04 to the Court of Appeals, my brief is due March 16th. I'm not sure if all of you intend to participate, but if so, I am requesting that you stipulate to a 30 day extension. Please let me know soon if you concur. Thanks.

Steve

Stephen F. Mecham
Callister Nebeker & McCullough
10 East South Temple, Suite 900
Salt Lake City, UT 84133
Telephone: 801-530-7316
Facsimile: 801-364-9127
Toll Free: 800-825-9334
EMail: sfmecham@cnmlaw.com
Firm Website: www.cnmlaw.com

PLEASE NOTE: The information contained in this message may be privileged and confidential. If you are not the intended recipient, you are hereby notified that any review, printing, dissemination, distribution, copying or other use of this communication is strictly prohibited. If you have received this communication in error, please reply to the sender and delete all copies of the message.

This email is confidential and may be legally privileged.

It is intended solely for the addressee. Access to this email by anyone else, unless
If you are not the intended recipient, any disclosure, copying, distribution or any

=====

3/8/2007