

Date submitted: June 24, 2005

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In The Matter of: HELP, Electric Lifeline Program Evaluation	Docket No. 04-035-21 Light and Truth consideration of Changing HELP's \$8 Surcharge and motion to dismiss
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Parties have raised the issue of increasing the \$8.00 per month credit in the HELP program.

The rate of \$8.00 per month of credit for eligible participants was set in the Public Service Commission's Report and Order in Docket No. 99-035-10. The Commission repeated the figure of \$8.00 per month credit for qualifying residential households in its Report and Order in Docket No. 00-035-T07.

Motion to Dismiss

Because consideration of the issue of changing HELP's \$8 surcharge is barred on the grounds of res judicata and collateral estoppel, Light and Truth requests that changing HELP's \$8 surcharge not be considered in this Docket and the issue be dismissed.

Respectfully submitted,

Paul Mecham, for
Light and Truth

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the motion to dismiss the issue of changing HELP's \$8 Surcharge in the matter of the Evaluation of the HELP Program Docket No. 04-035-21 was distributed and transmitted electronically on the 24th day of June, 2005 to the following:

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Dated this 24th day of June, 2005

Paul Mecham
Light and Truth