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Managing Member for Spring Canyon Energy, LLC

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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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In the Matter of the Application of PACIFICORP for a Certificate of Convenience and Necessity Authorizing Construction of the Lake Side Power Project	SPRING CANYON ENERGY LLC'S PRE-FILED DIRECT TESTIMONY CHALLENGING THE RESULTS OF PACIFICORP'S RFP 2003-A  DOCKET NO. 04-035-30
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Spring Canyon Energy, LLC is an intervener in the above captioned proceeding. Spring Canyon Energy, LLC hereby challenges the results of the PacifiCorp's RFP 2003-A and PacifiCorp's request for a Certificate of Convenience and Necessity ("CCN") authorizing construction of the Lake Side Power Project for the same reasons that Spring Canyon Energy, LLC challenged the results of the PacifiCorp RFP 2003-A and PacifiCorp's request for a CCN authorizing constructing of the Currant Creek Power Project (Docket No. 03-035-29). Attached is pre-filed direct testimony of F. David Graeber and Theodore Banasiewicz from Docket No. 03-035-29 which Spring Canyon Energy, LLC is hereby filing as its pre-filed direct testimony in the above captioned proceeding. Since, the Utah Public Service Commission has recently cabined its authority to making determinations of need and disclaimed any authority to determine which power project will best serve Utah ratepayers, Spring Canyon Energy, LLC sees no point in incurring the expense associated with preparing and filing new testimony. Spring Canyon Energy, LLC urges the Commission to reconsider its position regarding its

authority because PacifiCorp plainly has not chosen the project which best serves the needs of the Utah ratepayers.

Dated this 27<sup>th</sup> day of August 2004.

F. David Graeber

Managing Member

Spring Canyon Energy, LLC