

Gary A. Dodge, #0897  
HATCH, JAMES & DODGE  
10 West Broadway, Suite 400  
Salt Lake City, UT 84101  
Telephone: 801-363-6363  
Facsimile: 801-363-6666  
Email: gdodge@hjdllaw.com  
Attorneys for UAE Intervention Group

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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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In the Matter of the Application of  
PACIFICORP for Approval of its Proposed  
Electric Service Schedules and Electric Service  
Regulations

DOCKET NO. 04-035-42

**UAE'S MOTION TO COMPEL  
DISCOVERY FROM PACIFICORP,  
REQUEST FOR ADDITIONAL  
TIME TO FILE TESTIMONY AND  
REQUEST FOR EXPEDITED  
RESOLUTION**

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The UAE Intervention Group (UAE), pursuant to Rule 37, Utah Rules of Civil Procedure, hereby moves the Commission for an order compelling PacifiCorp to provide full and complete responses to UAE Data Requests 4.1 and 4.2. UAE also moves for a delay in the filing date for its direct testimony on all issues affected by PacifiCorp's refusal to produce relevant documents. UAE also requests expedited consideration and resolution of this motion. Finally, UAE requests that the commission award UAE its reasonable expenses, including attorneys' fees, incurred in connection with this Motion. UAE submits herewith a memorandum in support of its motion.

UAE's fourth set of interrogatories to PacifiCorp asks for information relating to PacifiCorp's load and resource projections, its projected timing of resource needs, its resource analysis and selection process, and the Lake Side project. A copy of PacifiCorp's responses to UAE's fourth set of data requests, including the requests, is attached. Given PacifiCorp's inclusion of significant new resource costs in the test year, information relating to PacifiCorp's projections of resource needs and the resource selection process is clearly relevant. Nevertheless, PacifiCorp has flatly refused to produce even one document in response.

UAE thus moves for an order compelling PacifiCorp to respond immediately to its data requests. UAE also requests a delay in its December 3, 2004 direct testimony filing date on any issues impacted by PacifiCorp's wrongful failure to provide relevant data on a day-for-day basis from the date PacifiCorp's response was due, November 9, 2004, until the requested documents are received in full by UAE. Such a delay is particularly appropriate in this case because PacifiCorp waited a full 21 days to file a one-sentence objection and response to the data requests, refusing to produce any relevant documents.

UAE hereby certifies pursuant to Rule 37(a)(2)(b), Utah Rules of Civil Procedure, that it has in good faith conferred with PacifiCorp in an effort to secure the requested information without Commission action, but PacifiCorp refuses to produce the same.

DATED this \_\_\_\_ day of November, 2004.

HATCH, JAMES & DODGE

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Gary A. Dodge  
Attorneys for UAE Intervention Group

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by email or U.S. mail, postage prepaid, this \_\_\_ day of November, 2004, to the following:

Edward A. Hunter  
Jennifer Horan  
STOEL RIVES LLLP  
201 South Main Street, Suite 1100  
Salt Lake City, UT 84111  
eahunter@stoel.com  
jehoran@stoel.com  
Attorneys for PacifiCorp

Michael Ginsberg  
Patricia Schmid  
ASSISTANT ATTORNEY GENERAL  
500 Heber M. Wells Building  
160 East 300 South  
Salt Lake City, UT 84111  
mginsberg@utah.gov  
pschmid@utah.gov  
Attorneys for Division of Public Utilities

Reed Warnick  
Paul Proctor  
ASSISTANT ATTORNEY GENERAL  
160 East 300 South, 5<sup>th</sup> Floor  
Salt Lake City, UT 84111  
rwarnick@utah.gov  
pproctor@utah.gov  
Attorneys for Committee of Consumer Services

F. Robert Reeder  
Vicki Baldwin  
PARSONS BEHLE & LATIMER  
One Utah Center  
201 South Main Street, Suite 1800  
P.O. Box 45898  
Salt Lake City, UT 84145-0898  
BobReeder@pblutah.com  
VBaldwin@pblutah.com  
Attorneys for UIEC

Dale F. Gardiner  
PARRY ANDERSON & GARDINER  
60 East South Temple, #1200  
Salt Lake City, Utah 84111  
dfgardiner@parrylaw.com  
Attorneys for AARP

Thomas W. Forsgren  
2868 Jennie Lane  
Holladay, Utah 84117  
twforsgren@msn.com  
Attorneys for AARP

Mr. James Howarth  
OO-ALC/JAN  
6026 Cedar Lane, Bldg 1278  
Hill AFB, UT 84056  
James.howarth@hill.af.mil  
Attorneys for FEA

Major Craig Paulson.  
AFLSA/ULT  
Utility Litigation Team  
139 Barnes Drive, Suite 1  
Tyndall AFB, FL 32403  
Craig.Paulson@tyndall.af.mil  
Attorneys for FEA

Michael L. Kurtz  
Kurt J. Boehm  
BOEHM, KURTZ & LOWRY  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
Mkurtz@bkllawfirm.com  
Attorneys for Kroger Company

Peter J. Mattheis  
Shaun C. Mohler  
BRICKFIELD, BURCHETTE, RITTS, STONE  
1025 Thomas Jefferson Street, N.W.  
800 West Tower  
Washington, D.C. 20007  
PJM@bbrslaw.com  
Attorneys for Nucor Steel

Gerald H. Kinghorn  
PARSONS KINGHORN HARRIS  
111 East Broadway, 11<sup>th</sup> Floor  
Salt Lake City, UT 84111  
ghk@pkplawyers.com  
Attorneys for Nucor Steel

Jerold G. Oldroyd  
Angela W. Adams  
BAALLARD SPAHR  
201 South Main Street, Suite 600  
Salt Lake City, UT 84111-2221  
oldroydj@ballardspahr.com  
Attorneys for Comcast Cable

Michael D. Woods  
Comcast Cable Communications, LLC  
183 Inverness Drive West, Suite 200  
Englewood, Colorado 80112  
Attorneys for Comcast Cable

J. Davidson Thomas  
Genevieve D. Sapir  
COLE, RAYWID & BRAVERMAN  
1919 Pennsylvania Avenue, N.W.  
Second Floor  
Washington, D.C. 20006  
Attorneys for Comcast Cable

Stephen R. Randle  
RANDLE, DEAMER & LEE  
139 East South Temple, Suite 330  
Salt Lake City, UT 84111-1169  
ulaw@xmission.com  
Attorneys for Utah Farm Bureau Federation

/s/\_\_\_\_\_