

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Application of )  
PacifiCorp for Approval of a 2009 Request ) DOCKET NO. 05-035-47  
for Proposals for Flexible Resource ) HEARING PROCEDURAL ORDER  
)  
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ISSUED: November 20, 2007

By the Commission:

The Committee of Consumer Services (Committee) has requested the Commission issue a Pre-hearing Order addressing a number of areas which the Committee believes will assist participants prepare for the hearing and the conduct of a November 29, 2007 hearing, which is set to address PacifiCorp's Motion to Amend its 2012 Request for Proposals. PacifiCorp has responded to the Committee's request, essentially opposing the Committee's requests.

The Commission has concluded, in light of the current status of this docket and the matters raised, it will be helpful to the participants and the Commission to issue this order providing some direction for the November 29, 2007, hearing. The Commission will address PacifiCorp's request on whether or not it will be permitted to amend its RFP solicitation plan, as requested in PacifiCorp's Motion to Amend 2012 RFP filed with the Commission on October 2, 2007. As part of that consideration, the Commission will address the disputes which have arisen relating to credit qualification under the RFP solicitation plan previously approved by the Commission. To address the amendment request and the credit qualification disputes, the Commission will rely upon the presentations made by counsel for the hearing participants, as

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aided by witnesses to provide factual evidence and opinion evidence deemed necessary by the parties in their presentations.

The Commission desires the hearing to be an open public hearing. The Commission recognizes, however, that participants' positions may be based on information which is claimed to be confidential and which has been provided pursuant to Protective Order terms or other restrictions. The Commission encourages participants to plan their presentations in such a manner as to minimize the need to close the hearing or seal portions of the record. This could be done by referring to confidential material in a general manner. To the extent needed to provide the participants an opportunity to present confidential material, the Commission requests participants to inform the Commission of their needs so it can make provision to conduct portions of the hearing and prepare a hearing record in an appropriate fashion.

DATED at Salt Lake City, Utah, this  
20<sup>th</sup> day of November, 2007.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary

G#55404