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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of Excess PacifiCorp Income
Tax Cost Monies Collected in Rates

DIVISION OF PUBLIC UTILITIES' INITIAL
RESPONSE TO PACIFICORP'S MOTION
TO DISMISS AND ANSWER AND
MOTION FOR ENLARGEMENT OF TIME

DOCKET NO. 05-035-98

Pursuant to Commission Rule 746-100-4, the Division of Public Utilities (Division) hereby files its Initial Response to PacifiCorp's Motion to Dismiss and Answer (PacifiCorp's Motion and Answer) to the Utah Committee of Consumer Services' (Committee) Request for Agency Action (Request). The Division intends to file a reply addressing PacifiCorp's Motion and Answer, but wishes to analyze the Committee's response to that Motion and Answer and any other pleadings filed in response thereto on or before November 21, 2005. The Division notes that the Utah Industrial Energy Consumers have filed a brief in opposition to the motion to dismiss. Additionally, because the Division's senior

counsel is out of the office until December 1, 2005, the Division seeks an extension of time until December 6, 2005 to file this response.

RESPECTFULLY submitted this ____ day of November 2005.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the DIVISION OF PUBLIC UTILITIES' RESPONSE TO PACIFICORP'S MOTION TO DISMISS AND ANSWER was sent by U.S. Postal Service first class mail, prepaid, and email on this the _____ day of November 2005 to:

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