

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Complaint of Rocky Mountain Power, a division of PacifiCorp, )  
against Heber Light & Power Regarding ) DOCKET NO. 07-035-22  
Unauthorized Service by Heber Light & )  
Power in Areas Certificated to Rocky )  
Mountain Power ) SCHEDULING ORDER  
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ISSUED: November 3, 2008

By The Commission:

The parties have applied to the Commission for an amendment to the Scheduling Order issued September 24, 2008. Based upon good cause, the Commission orders the following schedule and procedures to govern further proceedings in this docket, unless later modified by the Commission:

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|--|-------------------|
| <b>Deadline for interested persons to petition for intervention</b>  | December 18, 2008 |
| <b>Deadline for Rocky Mountain Power (“RMP”) to file Direct Testimony</b>  | January 12, 2009  |
| <b>Deadline for HLP to file Rebuttal Testimony</b>   | March 2, 2009     |
| <b>Status and Scheduling Conference</b>  | March 26, 2009.   |
| <b>Deadline for Division of Public Utilities (“DPU”) and Committee of Consumer Services (“CCS”) to file Rebuttal Testimony</b> | April 6, 2009     |
| <b>Deadline for parties to file Surrebuttal Testimony</b>  | April 30, 2009    |
| <b>Public Witness Hearing</b>  | May 21, 2009      |
| <b>Hearing</b>   | May 17 – 19, 2009 |

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2. All hearings and the status and scheduling conference in the foregoing schedule, with the exception of the Public Witness Hearing, shall be held at the Heber M. Wells State Office Building, 160 East 300 South, Salt Lake City, Utah, and shall commence at 9:30 a.m. and shall continue thereafter as directed by the Commission. Hearings shall be held in Room 451, and the Status and Scheduling Conference shall be held in Room 401.

3. The Public Witness Hearing shall be held at the Wasatch Senior Citizen's Center – Auditorium, 465 East 1200 South, Heber City, Utah 84032 and shall commence at 4:30 p.m. and conclude at 5:30 p.m. unless all individuals wishing to present public witness testimony cannot be heard by 5:30 p.m., in which event the hearing shall continue until all persons who have signed in to present public witness testimony that is not unduly repetitive of testimony already presented have had an opportunity to do so. Individuals wishing to present sworn or unsworn testimony to the Commission during the Public Witness Hearing are encouraged to appear as near 4:30 p.m. as possible and must sign-in with a representative of the CCS at the Public Witness Hearing between 4:25 p.m. and 5:25 p.m. The Commission encourages individuals to present brief statements of their position and individuals with similar positions to coordinate their statements to avoid undue repetition. Individuals may elect to present sworn or unsworn testimony. If individuals elect to present sworn testimony, the Commission may base a finding on their testimony, but they will be subject to cross examination. If individuals elect to present unsworn testimony, the Commission may not base a finding solely on their testimony, but they will not be subject to cross examination. Any individual wishing to present a

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statement of position to the Commission that is unable to do so during the Public Witness Hearing may file a written statement of position with the Commission at its offices, Fourth Floor, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah 84114 in person, by mail, by electronic mail to [mlivingston@utah.gov](mailto:mlivingston@utah.gov), or by facsimile to (801) 530-6796. Written statements of position shall be treated in the same manner as unsworn public witness testimony.

4. RMP shall publish notice of the Public Witness Hearing twice in a newspaper of general circulation in the Wasatch County area in advance of the Public Witness Hearing.

5. Responses to discovery requests served through November 20, 2008, shall be provided in accordance with the timeframes established by the Utah Rules of Civil Procedure. Responses to written discovery requests served thereafter shall be provided within 14 calendar days.

6. Parties shall serve copies of all filings on other parties by electronic mail at or before the time an electronic copy of the document is filed with the Commission. Parties shall serve discovery requests and responses on applicable parties by electronic mail. In the event a document filed with the Commission or produced in response to a discovery request cannot reasonably be transmitted by electronic mail, the party filing the document shall file an electronic copy of the document on CD (or, if an electronic copy is not available, a paper copy) to the Commission by hand delivery and shall serve an electronic copy of the document on CD (or, if an electronic copy is not available, a paper copy) on applicable parties by hand delivery if the parties are in the

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same city or by overnight courier if the parties are located in from the serving party different cities.

Individuals wishing to participate in a hearing or conference by telephone should contact the Public Service Commission two days in advance by calling (801) 530-6716 or call toll-free 1-866-PSC-UTAH (1-866-772-8824). Participants attending by telephone should then call the Public Service Commission five minutes prior to the conference to ensure participation.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during any proceeding should notify Julie Orchard, Commission Secretary, at 160 East 300 South, Salt Lake City, Utah 84111, (801) 530-6716, at least three working days prior to the proceeding.

DATED at Salt Lake City, Utah, this 3<sup>rd</sup> day of November, 2008.

/s/ Julie Orchard  
Commission Secretary  
G#59690