

20000-277-ER-07/Rocky Mountain Power  
December 31, 2007  
WIEC 18<sup>th</sup> Set Data Request 18.3

**WIEC Data Request 18.3**

Explain why the Company is building 99 MW wind farms at that particular size. Does the Company have any evidence or analysis that shows this is a preferable, or more economical size for such projects? If so, provide.

**Response to WIEC Data Request 18.3**

The decision to size certain wind projects at the 99 MW level was made due to the combination of wind turbine availability and the reasonable expectation that purchased turbines could be incorporated into a wind project prior to the expiration of the federal production tax credit at the end of 2008. Constructing a wind project prior to the expiration of the federal production tax credit is inherently preferable and more economical than constructing a wind project after expiration of the tax credit.

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WIEC 18<sup>th</sup> Set Data Request 18.4

**WIEC Data Request 18.4**

Is it correct that Utah law requires competitive bidding for any new resource of 100 MW or larger? If so, does the Company agree that the 99 MW units are sized merely to avoid the competitive bidding process? Explain and justify your answer.

**Response to WIEC Data Request 18.4**

The Company objects to this request on the grounds that it calls for a legal opinion. Nonetheless, subject to and without waiving this objection, the Company provides the following response.

The Company interprets Utah law as currently requiring a specified resource procurement process for each significant energy resource (SER) of 100 MW or larger. The Company does not agree that any 99 MW wind project was sized merely to avoid the competitive bidding process. The Company's interpretation is that a 99 MW resource is not subject to Utah law with respect to a SER. The Company further states that it is reasonable to expect that a SER procurement process would result in sufficient delays such that the wind turbines made available to the Company would not have remained available to the Company and/or that each 99 MW wind project could not practically have been planned for construction prior to the expiration of the federal production tax credit at the end of 2008.