

DOCKET NO. 08-035-38

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As all parties who have addressed capital cost issues have joined in the Stipulation, the Commission concludes it may stay the remainder of the procedural schedule for the filing of testimony regarding cost of capital or rate of return issues, only surrebuttal testimony remained to be filed. The Commission will also give notice that it will consider approval of the Stipulation at the March 12, 2009, hearing. Any party intending to support or oppose consideration of the Stipulation should plan to present their argument and evidence thereon at that hearing. Parties opposing the Stipulation will be required to give notice of their opposition to the Stipulation parties and to the Commission no later than March 6, 2009.

Wherefore, based thereon, the Commission issues this Order wherein it is

Ordered:

1. The portions of the October 30, 2008, Second Scheduling relating to the filing of testimony addressing cost of capital and rate of return issues are stayed.
2. Any party who wishes to support or oppose the Stipulation is directed to appear at the hearing scheduled March 12, 2009, pursuant to the contemporaneous Notice of Hearing issued herewith.
3. Parties intending to oppose approval of the Stipulation shall give notice of their opposition to the Commission and parties to the Stipulation on or before March 6, 2009.

DATED at Salt Lake City, Utah, this 24th day of February, 2009.

/s/ Julie Orchard
Commission Secretary
G#60944