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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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In the Matter of the Application of Rocky Mountain Power for Authority to Increase its Retail Electric Utility Service Rates in Utah and for Approval of its Proposed Electric Service Schedules and Electric Service Regulations.

**RESPONSE OF UIEC TO MOTION FOR APPROVAL OF STIPULATION REGARDING COST OF CAPITAL**

Docket No. 08-035-38

UIEC, an intervention group, states as follows:

1. On August 18, 2008, the petition to intervene of the UIEC was granted in this matter.
2. On or about February 23, 2009, Rocky Mountain Power (RMP) filed a stipulation regarding the cost of capital, executed by RMP, the Division of Public Utilities and the Committee of Consumer Services.
3. Although an intervenor and party in this case, the UIEC was not invited to nor did the UIEC participate in the discussions leading to the settlement of the cost of capital issue in this case. The UIEC has not executed the stipulation on the cost of capital, and, in fact, first

learned about it only when the notice of hearing on the stipulation was published by the Commission. Nevertheless, in spite of the procedural missteps by RMP, the UIEC will not oppose the motion of RMP for approval of this stipulation.

RESPECTFULLY submitted this 26<sup>th</sup> day of February, 2009.

/S/ F. Robert Reeder  
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## CERTIFICATE OF SERVICE

(Docket No. 08-035-38)

I hereby certify that on this 26<sup>th</sup> day of February 2009, I caused to be e-mailed, a true and correct copy of the foregoing **RESPONSE TO UIEC MOTION FOR APPROVAL OF STIPULATION REGARDING COST OF CAPITAL** to:

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