

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Application of Rocky Mountain Power for Certificate of Convenience and Necessity Authorizing Construction of the Populus-to-Terminal 345 kV Transmission Line Project

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DOCKET NO. 08-035-42

SCHEDULING ORDER

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ISSUED: May 20, 2008

By The Commission:

On April 25, 2008, Rocky Mountain Power, a division of PacifiCorp, (“Rocky Mountain Power”) filed an application pursuant to Utah Code Ann. § 54-4-15 with the Commission for approval of a certificate of public convenience and necessity authorizing the construction of a 345 KV transmission line, known as the Populus-to-Terminal (“transmission line”) in Box Elder, Weber, Davis, and Salt Lake Counties. Along with its application, Rocky Mountain Power filed its direct testimony.

**The Commission desires to clarify the purpose of this proceeding. This proceeding is not about the location or siting of the Transmission if it is built. The Commission does not have jurisdiction over the siting of transmission lines. This proceeding is to determine if present or future public convenience and necessity does or will require construction of a transmission line. We trust and expect that Rocky Mountain Power will work in good faith with interested parties in seeking the most appropriate siting for transmission lines.**

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On May 7, 2008, the Commission issued an order establishing a Scheduling Conference for May 13, 2008. The Scheduling Conference was duly held on May 13, 2008 in Room 401 of the Heber M. Wells State Office Building, 160 East 300 South, Salt Lake City, Utah, and was conducted by Julie Orchard, Commission Secretary. Representatives of Rocky Mountain Power, the Division of Public Utilities, and the Committee of Consumer Services, various cities and citizen groups from Box Elder County, and individual citizens of portions of the State of Idaho affected or potentially affected by the transmission line were in attendance. During the course of the conference, Sandy Mooy, Legal Counsel for the Commission, also participated to address issues related to the scope of this proceeding and to discuss the statute related to the Electric Facilities Review Board.

Based on the discussion of the parties and other interested persons at the conference and based on the Commission's review of its statutory authority, the Commission hereby issues the following

ORDER

1. The issues in this proceeding shall be limited to the issue of whether the present or future public convenience and necessity does or will require the construction of the transmission line. **This proceeding shall not address the following issues: the siting of the transmission line, the question of requirements of Utah local government entities related to siting and cost issues that should be addressed by the Electric Facilities Review Board, or prudence issues for ratemaking purposes.**

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2. Unless later modified by the Commission, the following dates shall govern the schedule in this docket:

- a. Applications to Intervene in this proceeding shall be filed on or before July 25, 2008.
- b. Parties wishing to file direct testimony in response to the prefiled direct testimony filed by witnesses for Rocky Mountain Power shall file such testimony on August 1, 2008.
- c. Parties shall file rebuttal testimony on August 13, 2008 in response to the direct testimony filed by witnesses on August 1, 2008 under (b) above.
- d. Parties shall file surrebuttal testimony on August 22, 2008 in response to the prefiled rebuttal testimony filed on August 13, 2008 under (c) above.
- e. Hearings shall commence at **9:30 a.m.** in the Main Hearing Room, Fourth Floor, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah on Tuesday, August 26, 2008. If not concluded that day, the hearings shall also be held on August 27, 2008.
- f. Public witnesses shall be allowed to present their positions on the issues in this docket on Tuesday, August 26, 2008 from 4:30 to 5:30 p.m. in the Main Hearing Room, Fourth Floor, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah.

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3. Commencing immediately, parties shall respond to data requests within 14 calendar days. Commencing August 1, 2008, parties shall respond to data requests within 7 calendar days. To the extent parties have disputes regarding discovery, such disputes shall be resolved by Steven A. Goodwill, Administrative Law Judge.

Individuals wishing to participate in the hearing by telephone should contact the Commission at least two days prior to make arrangements. On the day of the hearing, participants must call (801) 530-6716 or call toll-free 1-866-PSC-UTAH (1-866-772-8824) at least five minutes prior to the start time to ensure participation.

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

Dated at Salt Lake City, Utah this 20<sup>th</sup> day of May, 2008.

/s/ Julie Orchard  
Commission Secretary  
G#57499