

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Application of Rocky Mountain Power for Approval of Significant Energy Resource Decision Resulting from 2012 Request for Proposals )  
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DOCKET NO. 08-035-95

SCHEDULING ORDER

ISSUED: December 24, 2008

By The Commission:

On December 3, 2008, Rocky Mountain Power filed a Verified Application seeking approval of its significant energy resource decision and for a certificate of public convenience and necessity to construct and operate the Lake Side 2 generation plant. On December 17, 2008, a Scheduling Conference was held pursuant to notice given on December 10, 2008. Rocky Mountain Power, the Division of Public Utilities, the Committee of Consumer Services, the Utah Association of Energy Users, Western Resource Advocates and the Independent Evaluator participated in the conference.

During the Scheduling Conference, the parties discussed the circumstances and schedule in this matter. Rocky Mountain Power explained that based on the terms of the agreement with the developer and engineering, procurement and construction contractor, it must provide a limited notice to proceed by March 2, 2009 in order for Lake Side 2 to be operational by July 1, 2012. Therefore, the schedule in this matter must be compressed so that the Commission has the opportunity to issue a decision on the Verified Application by February 27, 2009, if possible. Given the foregoing circumstances, the parties discussed and proposed a schedule and procedures to the Commission.

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The Commission finds it unfortunate the Company has not adequately prepared for the vetting of its resource decision as envisioned in Utah Code § 54-17-302. This is the first time the Commission will be reviewing the full process of the Energy Resource Procurement Act, i.e., solicitation process followed by a request for approval of a selected resource, and the Commission is challenged by the indifference given to the public process for review and recommendations regarding the Company's resource decision. Notwithstanding these challenges, this Commission is reticent to create any regulatory stumbling blocks given that the resource deficit expected in 2012, by all accounts, is substantial. Therefore, the Commission will not alter the proposed schedule if it can produce an adequate review and analysis of the Company's request. Although the Commission will make a good faith effort to provide a timely order as requested, it cannot commit to a certain date at this point; that, to a great extent, will be dependent on the evidence and analysis presented in this case.

Based upon the foregoing and good cause shown, the Commission orders the following schedule and procedures to govern further proceedings in this docket, unless later modified by the Commission:

1. The schedule in the proceeding shall be as follows:

January 5, 2009	Technical conference to discuss the Verified Application and to answer questions of the parties, commencing at 10:30 a.m. in Room 401, Heber M. Wells Office Building, 160 East 300 South, Salt Lake City, Utah.
January 12, 2009	Deadline for Independent Evaluator to file a report on the Verified Application

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February 5, 2009	Deadline for parties other than Rocky Mountain Power to file testimony or comments on the Verified Application
February 12, 2009	Deadline for parties to file rebuttal testimony or comments
February 19, 2009	Hearing, commencing at 9:30 a.m. in Room 403 Heber M. Wells Office Building, 160 East 300 South, Salt Lake City, Utah.

2. Responses to discovery requests served through February 5, 2009, shall be provided with 10 calendar days. Responses to discovery requests served thereafter shall be provided within 5 calendar days.

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

4. 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

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then call the Public Service Commission five minutes prior to the conference to ensure participation.

5. 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 24<sup>th</sup> day of December, 2008.

/s/ Julie Orchard  
Commission Secretary  
GH60226