

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Division of Public Utilities' Review and Audit of Rocky Mountain Power's Deferred Tax Normalization Method)
)
) DOCKET NO. 09-035-03
) REPORT AND ORDER AND NOTICE
) OF TECHNICAL CONFERENCE
)

ISSUED: August 11, 2009

By The Commission:

On July 6, 2009, the Division of Public Utilities (Division) filed its recommendation in this docket. It recommended that : 1) we keep this docket open; 2) that parties be allowed to raise the issue of tax normalization in this docket; 3) that discovery on the tax normalization issue be allowed to commence in this docket and that discovery requests have a fifteen-calendar -day turnaround; 4) that the correspondence from the Division to Rocky Mountain Power (Company) regarding deferred tax normalization dated July 8, 2008 in Docket No. 08-999-02 be moved to this docket; and 5) that another technical conference in this docket be set after some discovery has occurred, preferably in August 2009.

In support of its recommendation, the Division provided the following background:

In a memorandum to the Commission on May 28, 2009, the Division asked that a June 4, Technical Conference be rescheduled. The Division, also in that memorandum, anticipated that the Technical Conference would provide answers to any unanswered questions other parties may have about the Deferred Tax Normalization issue and therefore requested that at the conclusion of the Technical Conference, the Commission close Docket No. 09-035-03.

The rescheduled Technical Conference was held June 18, 2009 at 1:30 PM. Attendees at the Technical Conference were RMP, the Division, the Office of Consumer Services and the Commission staff. At the conclusion of the meeting parties determined that they would like to further investigate and discuss the impact

to Utah ratepayers if full tax normalization was implemented in the Utah jurisdiction. Also, leaving the Docket open would give other parties the opportunity to comment on the white paper that was filed, conduct discovery or pursue other matters discussed at the Technical Conference. RMP expressed the desire to see if, after investigation and discussion, parties could obtain enough consensus on the matter of adopting full normalization to recommend it as a policy for the Commission to consider and ultimately to adopt. RMP also stated its desire to see if such a policy could be accepted by parties before it files a future 2011 rate case using full normalization. Therefore, it was generally agreed that after discovery, parties would determine if a consensus was possible on the tax normalization issue.

Parties in attendance agreed that they would be willing to continue to investigate and discuss this matter with RMP to see if such a policy recommendation could be obtained. The parties agreed to meet again sometime in mid August to coordinate the discussions and investigation efforts on this matter.

Division Recommendation, pp.2-3.

Based on the Division's recommendation, and no party opposing the recommendation, and finding that the request is in the best interest of the public, we find that the Division's recommendation be approved.

ORDER

We therefore order as follows:

1. interested parties shall be allowed to raise the issue of tax normalization in this docket;
2. discovery on the tax normalization issue shall be permitted in this docket; parties may conduct discovery, including issuing and responding to data requests; discovery requests shall have a fifteen-calendar-day turnaround; and
3. the Division shall file a copy of the correspondence dated July 8, 2008 and filed in Docket No. 08-999-02, from it to the Company regarding deferred tax normalization, in this docket

NOTICE OF TECHNICAL CONFERENCE

Notice is hereby given that a technical conference will be held in the above-entitled matter on **Thursday, August 27, 2009, at 9:30 a.m.** with the Commission in Room 401 on the Fourth Floor of the Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah.

The purpose of the technical conference is to discuss the issue of tax normalization in this docket.

Individuals wishing to participate by telephone should contact the Public Service Commission two days in advance at (801) 530-6716 or 1-866-PSC-UTAH (1-866-772-8824). Individuals participating by telephone should call the Public Service Commission five minutes prior to the beginning of the hearing to ensure participation.

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

DATED at Salt Lake City, Utah this 11th day of August, 2009.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#63058