

(b) Whether there are alternatives, such as the use of Rolled-In method without the revenue requirement adjustments contained in the 2004 Stipulation terms, which would be just and reasonable in this case.”

2. On October 22, 2009, Rocky Mountain Power filed a petition seeking an immediate stay and for reconsideration of the Commission’s MSP order, arguing in substance that the late introduction of the issue not raised by any party in the case violated its procedural due process rights, and that the Commission should pursue resolution of the issue through the processes provided in the 2004 Stipulation and Revised Protocol.

3. On October 27, 2009, the Division of Public Utilities filed its response to Rocky Mountain Power’s petition. The Division, noting that “[its] patience with this process will not be unlimited,” stated it does not believe the issues raised by the 2009 Preliminary Study can be adequately addressed within the context of the present case. The Division argued that it believed the issues raised by the Study can best and most timely be done outside of the litigation process.

4. UIEC, like the Division, lacks patience for the resolution of the important issues raised by the Commission, but cannot, within the time of this case and with present resources, address the questions raised by the Commission’s order.

5. The UIEC agrees with the Commission that the questions are significant and important. We add that the introduction of this issue at this late hour may quash the embryonic settlement discussions that are beginning in this current rate case.

CONCLUSION

We respectfully request that the Commission stay its order and take any such other action as may be appropriate so as to allow for the prompt resolution of the issues among the multi-state parties involved and further direct Rocky Mountain Power that before it seeks any further rate relief

in the future, wherein interstate allocation is a question, it and others present to the Commission an analysis of whether or not the MSP indeed produces just and reasonable rates in the public interest and alternatives to the present method.

RESPECTFULLY submitted this 2nd day of November, 2009.

/S/ F. Robert Reeder
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CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of November 2009, I caused to be e-mailed, a true and correct copy of the foregoing **UIEC’S RESPONSE TO ROCKY MOUNTAIN POWER’S PETITION FOR STAY AND FOR RECONSIDERATION OF MSP ORDER** to:

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