

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Pending Application of)
Rocky Mountain Power for a Certificate of) DOCKET NO. 09-035-54
Public Convenience and Necessity)
Authorizing Construction of Mona – Oquirrh) REPORT AND ORDER
new 500 kV double circuit line)

ISSUED: July 22, 2009

By The Commission:

This matter is before the Commission on Rocky Mountain Power’s (Company) Notice of Intent to File Application for Certificate of Public Convenience and Necessity (CPCN). The Company’s Notice was intended to inform the Commission, the Division of Public Utilities (Division), and the Office of Consumer Services (OCS) of its intent to file a formal Application for a CPCN authorizing construction of a 500kV transmission line, known as the Mona-Oquirrh Transmission Line (Project). The Company gave its reason for filing the Notice:

Given the tight time frames under which the Company will be operating once it is able to file its Application, this Notice contains most of the information that would typically be included in the Application itself—the Company is doing so in order that the DPU, OCS, or other intervening parties may begin their analysis of the planned transmission line in the light of the standards set by the Commission for the granting of a CPCN.

Additionally, the Company stated that it is currently in the process of obtaining federal approval for the project. Although it recognized that we have ruled that issues of the location and routing of a transmission line were beyond the scope of a CPCN proceeding, it also noted that as a condition of approval for the Project it must file with us evidence that it has received or is in the process of obtaining the “required consent, franchise, or permit” of the proper authorities. However, until the federal approval process has been

completed about late July 2009, the ultimate routing and location of the transmission line and Project scope are uncertain. The Company plans to begin construction of the line in January 2010. This leaves little time between the filing of the Application and the date of needed approval for the Commission and interested parties to adequately investigate the Application and for us to issue a CPCN if proper. The Company has agreed to immediate commencement of discovery, and has affirmed that it will answer all requests for which it has information. As to those to which information cannot be provided at the time of their issuance, the Company will answer immediately upon receipt of information answering such requests. The Company is also willing to provide testimony supporting its pending Application, provided it is allowed to supplement or amend the testimony pending any new facts or changes in Company plans. The Company also agrees to file testimony on an expedited basis as needed. The Company additionally provided general information about the Project.

The Company requests we issue an order opening this docket, enter a protective order pursuant to the entry of its pending Motion for Protective Order, that we allow parties besides the Division and OCS to intervene pursuant to UCA § 63G-4-207 and R746-100-7, and that we allow the Company, the Division and OCS to immediately commence discovery.

Finding that the Company's request is in the public interest, and just and reasonable, we order as follows:

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1. The docket number contained in the caption, i.e. Docket No. 09-035-54, is the docket number for this matter;
2. The Company, the Division, and OCS may immediately commence discovery. Intervenors may participate in discovery once granted intervention;
3. Interested parties may move to intervene in this matter pursuant to UCA § 63G-4-207 and R746-100-7;
4. Pursuant to Sections 63G-4-301 and 54-7-15 of the Utah Code, an aggrieved party may request agency review or rehearing within 30 days after issuance of this Order by filing a written request with the Commission. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission does not grant a request for review or rehearing within 20 days after the filing of the request, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a petition for review with the Utah Supreme Court within 30 days after final agency action. Any petition for review must comply with the requirement of Sections 63G-4-401 and 63G-4-403 of the Utah Code and the Utah Rules of Appellate Procedure.

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DATED at Salt Lake City, Utah, this 22nd day of July, 2009.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#62850