

Barbara Ishimatsu (#10945)  
 Daniel E. Solander (11467)  
 Rocky Mountain Power  
 201 South Main Street, Suite 2200  
 Salt Lake City, UT 84111  
 Telephone: (801) 220-4640  
 Facsimile (801) 220-3299  
 Barbara.Ishimatsu@pacificorp.com  
 Daniel.Solander@pacificorp.com  
*Attorneys for Rocky Mountain Power*

**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

<p>In the Matter of the Application of PacifiCorp for Approval of Electric Service Agreement for Milford Wind Corridor Phase II, LLC.</p>	<p><b>ROCKY MOUNTAIN POWER          RESPONSIVE COMMENTS TO          MILFORD WIND CORRIDOR PHASE          II, LLC REQUEST FOR EXPEDITED          HEARING</b></p> <p>DOCKET NO. 11-035-17</p>
<p>In the Matter of the Application of PacifiCorp for Approval of an Electric Service Agreement for Milford Wind Corridor Phase I, LLC.</p>	<p><b>ROCKY MOUNTAIN POWER          RESPONSIVE COMMENTS TO          MILFORD WIND CORRIDOR PHASE          I, LLC REQUEST FOR EXPEDITED          HEARING</b></p> <p>Docket No. 09-035-55</p>

Rocky Mountain Power, a Division of PacifiCorp, an (“Rocky Mountain Power” or “Company”) submits these comments to correct the facts contained in the January 24, 2011, filings of Milford Wind Corridor Phase I, LLC (Milford I”) and Milford Wind Corridor Phase II, LLC (Milford II”) collectively ”Milford Wind.”

In the Motion of Milford Wind Corridor Phase II, LLC for Interim Order Authorizing Rocky Mountain Power to Provide Electric Service or, in the alternative, For Expedited Treatment Of Rocky Mountain Power’s Application, and in Milford Wind’s Requests for Expedited Hearing, Milford Wind paints an inaccurate picture of the need for expedited

treatment of the Application. Specifically, Milford Wind states, “[d]ue to delays occasioned by PacifiCorp” . . . this Application “comes before the Commission nearly one full year after Milford II requested service from RMP.”

Rocky Mountain Power does not dispute that Milford II made contact with the company January 7, 2010 to discuss the possibility of providing power to a second phase of First Wind Energy’s Milford Wind Corridor project; however, the Company disputes the inference that it intentionally or negligently delayed the process.

More likely, the lapse of time is attributable to the time necessary to secure financing and power resources for Milford II’s project. The Southern California Public Power Authority (“SCPPA”) did not approve the sales agreement to purchase renewable wind energy from Milford II until March 2010. *Minutes of the March 18, 2010, Meeting of the Southern California Public Power Authority, item 5*, attached as Exhibit A. Even then, the agreement was not approved by the Los Angeles Department of Water and Power (“LADWP”) until four months later. *See Minutes of the LADWP Board of Commissioners May 4, 1010, Agenda item 24(deferring consideration); Minutes of the LADWP Board of Commissioners July 22, 1010, Agenda item 55*, attached as Exhibit B . Furthermore, LADWP did not approve the PacifiCorp wholesale agreement until January 4 2011, a necessary precondition for Rocky Mountain Power to enter into the master electric service agreements.

Rocky Mountain Power has acted diligently to provide retail service to Milford II. Initially, the Company expected the load could possibly be served by the new Cameron – Milford line. The Company requested Milford II to submit a standard new service request to Tom Heaton, the account manager, which Milford II provided near the end of January 2010. The

Company followed up by proposing an Engineering Services Agreement (“ESA”) for the necessary engineering studies to determine whether constriction on the Cameron – Milford line would match Milford II’s timeline. The ESA also provided that if Rocky Mountain Power resources were not available, the Company would attempt to secure confirmation that LADWP would be willing to provide wholesale resources to the Company to match Milford II’s needs.

It was not until late May 2010, that Milford II entered to the Engineering Service Agreement (“ESA”). The estimated time of completion stated in the ESA was 90 days from the effective date, or late September 2010. The results of the study indicated that Rocky Mountain Power would not have the Cameron Milford line in place in time to serve Milford II and recommended that service be provided by a special contract similar to the arrangement for Milford Win Corridor Phase I, LLC.

Milford II gave notice of intent to proceed to master electric service agreement stage of the contracting process, within the sixty-day period after completion of the studies as provided in the ESA, on October 28, 2010. Rocky Mountain Power and PacifiCorp met with Milford II and LADWP November 1, 2010, to discuss metering issues Milford II needed to resolve before LADWP could proceed with the PacifiCorp wholesale agreement. Those metering issues would also be reflected in the master electric service agreement for Milford II and the amended master electric service agreement for Milford I. The metering issue was resolved on November 17, 2010 and Rocky Mountain Power provided a draft of the master electric service agreement for Milford II on November 18, 2010. The parties engaged in good faith negotiations between November 2010 and January 2011. Rocky Mountain Power filed the master electric service agreement on January 24, 2011, one business day after it was executed.

Rocky Mountain Power does not oppose the request for expedited hearing, but submits these comments to correct the implication that, but for delays by the Company, Milford II has been ready and willing to enter into a contract for retail service since January 2010.

DATED: February \_\_\_\_\_, 2011.

\_\_\_\_\_/s/ Barbara Ishimatsu\_\_\_\_\_  
Barbara Ishimatsu  
Daniel E. Solander  
Attorneys for Rocky Mountain Power

## CERTIFICATE OF SERVICE

I hereby certify that on the \_\_\_\_\_ day of February, 2011, I caused a copy of the foregoing **ROCKY MOUNTAIN POWER RESPONSIVE COMMENTS TO MILFORD WIND CORRIDOR PHASE II, LLC REQUEST FOR EXPEDITED HEARING, IN** Docket No. 11-035-17 and **ROCKY MOUNTAIN POWER RESPONSIVE COMMENTS TO MILFORD WIND CORRIDOR PHASE I, LLC REQUEST FOR EXPEDITED HEARING, IN** Docket No. 09-035-55, to be sent via electronic mail to the following:

Patricia Schmid  
[Pschmid@utah.gov](mailto:Pschmid@utah.gov)

Felise Thorpe Moll  
[fmoll@utah.gov](mailto:fmoll@utah.gov)

Paul H. Proctor  
[pproctor@utah.gov](mailto:pproctor@utah.gov)

Michele Beck  
[mbeck@utah.gov](mailto:mbeck@utah.gov)

Cheryl Murray  
[cmurray@utah.gov](mailto:cmurray@utah.gov)

William Power  
[wpowell@utah.gov](mailto:wpowell@utah.gov)

Dennis Miller  
[dmiller@utah.gov](mailto:dmiller@utah.gov)

William J. Evans  
[BEvans@parsonsbehle.com](mailto:BEvans@parsonsbehle.com)

