



State of Utah  
Department of Commerce  
Division of Public Utilities

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## **ACTION REQUEST RESPONSE**

To: Utah Public Service Commission

From: Division of Public Utilities  
Chris Parker, Director  
Energy Section  
Artie Powell, Manager  
Joni Zenger, Technical Consultant  
Casey Coleman, Technical Consultant (Telecom Section)  
Sam Liu, Utility Analyst

Date: March 21, 2012

Re: Rocky Mountain Power's Amended and Consolidated Application for Approval of Standard Reciprocal and Non-Reciprocal Pole Attachment Agreements, Docket No. 10-035-97.

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### **RECOMMENDATION (Request for a Scheduling Conference)**

The Division of Public Utilities (Division) recommends that the Commission set and hold a Scheduling Conference in this matter.

### **ISSUE**

On February 9, 2012, Rocky Mountain Power (Company) submitted its Amended Application and associated testimony and exhibits for filing with the Public Service Commission of Utah (Commission) "In the Matter of the Consolidated Applications of Rocky Mountain Power for Approval of Standard Reciprocal and Non-Reciprocal Pole Attachment Agreements." On February 23, 2012, the Company filed three additional exhibits associated with the Amended Application that were not included with the February

9, 2012 filing, but were intended to be included as part of the Amended Application. The Division received an Action Request from the Commission on February 22, 2012.

The Division notes that the Company previously submitted for Commission approval a proposed standard non-reciprocal pole attachment agreement on April 26, 2010, in Docket No. 10-035-43, which was consolidated into this docket with the Company's August 31, 2010 application for approval of a proposed standard non-reciprocal pole attachment agreement. After a technical conference, the Company decided to take another look and re-assess its filing. Therefore, on October 5, 2011, the Commission suspended the procedural schedule in the consolidated dockets.

With the Company's current Amended Application filed in this docket, the Company requests that the Commission consider this Amended Application in place of both of its earlier applications. The Division notes that the Amended Application contains substantive changes to the Commission's previously approved "safe harbor" agreement. Most notably, the Company has provided new tariff pages that it requests the Commission approve. The proposed tariff pages contain non-recurring fees in the amount of \$58.30 per pole attachment, an unauthorized attachment charge of \$100.00 + back rent per pole, and other miscellaneous fees. The Division believes these changes are significant, and intervening parties will want to participate in this docket. Therefore, the Division recommends that the Commission set another Scheduling Conference to determine the schedule and process for the Amended Application for reciprocal and non-reciprocal pole attachments. At the Scheduling Conference the Division recommends that the Commission, with input from intervening parties, determine the formality of the process and manner in which comments will be filed in this case.

## **CONCLUSION**

The Division recommends that the Commission convene a Scheduling Conference to determine dates and the process for parties to respond to the Company's Amended

Application, the accompanying exhibits, and the Company's proposed changes to the pole attachment agreements. With this response, the Division requests that this Action Request be closed.

CC: Michele Beck, OCS  
Dave Taylor, RMP