

UTAH PUBLIC
SERVICE COMMISSION

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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of Rocky Mountain power for Approval of Changes to Renewable Avoided Cost Methodology for Qualifying Facilities Projects Larger than Three Megawatts

DOCKET NO. 12-035-100

**MOTION FOR ORDER
PERMITTING RANDALL J.
FALKENBERG TO APPEAR AT
HEARING TELEPHONICALLY**

The Utah Office of Consumer Services ("OCS"), through its legal counsel, respectfully moves the Public Service Commission for an Order permitting one of its expert witnesses, Randall J. Falkenberg, to appear at the hearing in this matter via telephone.

The basis for this Motion is that on or about April 27, 2013 Mr. Falkenberg sustained a serious leg injury in an accident that occurred in his home state of Georgia. As a result of Mr. Falkenberg's injury, his treating physician has restricted him from airline travel for up to 3-4

months. Inasmuch as the hearing on this matter is scheduled for June 5th and 6th, Mr.

Falkenberg's medical condition will not allow him to be physically present at the hearing.

Upon receiving notification of Mr. Falkenberg's injury, the undersigned communicated with all legal counsel and parties of record to this Docket, advising them of the situation, and requesting that all parties stipulate and agree that Mr. Falkenberg may participate at the hearing telephonically. (See Exhibit A hereto.) The following parties to this Docket have given their consent to allow Mr. Falkenberg to so appear:

1. Utah Division of Public Utilities;
2. Utah Clean Energy;
3. Rocky Mountain Power;
4. Energy of Utah, LLC;
5. Renewable Energy Advisors;
6. Western Resource Advocates;
7. Sun Edison, LLC;
8. Scatec Solar North America, Inc.; and
9. Kennecott Utah Copper Tesoro Corp. (UIEC)

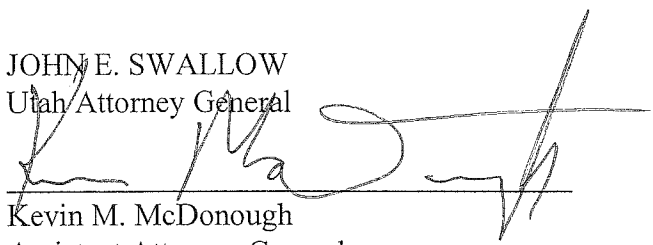
While no one has objected to Mr. Falkenberg being allowed to appear telephonically, the following parties to this Docket have not responded to OCS' request:

- a. Ever Power Wind Holdings, LLC;
- b. Ellis-Hall Consultants, LLC;
- c. Wasatch Wind Intermountain, LLC;
- d. Interwest Energy Alliance; and
- e. Blue Mountain Power Partners, LLC.

Based upon the foregoing, OCS respectfully requests that Mr. Falkenberg, one of OCS' expert witness who has provided Direct Testimony in this matter, be granted permission to appear at the June 5th and 6th hearing via telephone.

DATED this 6th day of May, 2013.

JOHN E. SWALLOW
Utah Attorney General



Kevin M. McDonough
Assistant Attorney General
*Attorney for Utah Office of Consumer
Services*

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of May, 2013, an original and ten (10) true and correct copies of the foregoing **MOTION FOR ORDER PERMITTING RANDALL J. FALKENBERG TO APPEAR AT HEARING TELEPHONICALLY** were electronically mailed and hand-delivered to:

Gary L. Widerburg
Commission Secretary
Public Service Commission of Utah
160 East 300 South, Fourth Floor
Salt Lake City, Utah 84111
psc@utah.gov

And true and correct copies were electronically mailed to the following:

Paul Proctor pproctor@utah.gov

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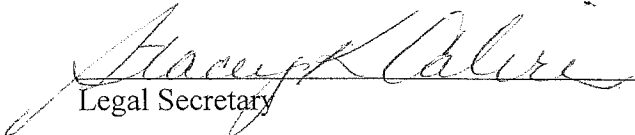

Legal Secretary

EXHIBIT A

STATE OF UTAH

OFFICE OF THE ATTORNEY GENERAL



JOHN E. SWALLOW

ATTORNEY GENERAL

KIRK TORGENSEN
Chief Deputy

BRIAN L. TARBET
General Counsel

April 29, 2013

Counsel and All Parties of Record
to Docket No. 12-035-100

Via E-mail Only

Re: In the Matter of the Application of Rocky Mountain Power for Approval of Changes to Renewable Avoided Cost Methodology for Qualifying Facilities Projects Larger Than Three Megawatts
Docket No. 12-035-100 Hearing

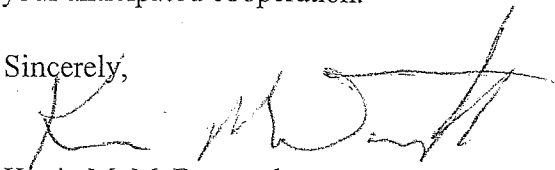
Dear Counsel and All Parties of Record:

This morning I met with my client, Utah Office of Consumer Services ("OCS"), concerning the above-referenced matter. I have been advised that Randall J. Falkenberg, one of OCS's expert witnesses who has provided direct testimony in this matter, sustained a serious leg injury over the weekend. Mr. Falkenberg resides in Atlanta, Georgia, and his doctor has restricted him from airline travel for up to 3-4 months. Inasmuch as the hearing on this matter is scheduled for June 5th and 6th, Mr. Falkenberg's medical condition will not allow him to be physically present at the hearing.

Accordingly, I respectfully request that all parties stipulate and agree that Mr. Falkenberg may participate at the hearing telephonically. Such an arrangement of course, would have to be approved by the Public Service Commission of Utah. Please advise me of your position on this issue so that I can approach the Public Service Commission to seek its approval.

Finally, inasmuch as the hearing is only approximately five weeks away, please respond to my request by Thursday, May 2nd. Thank you for your anticipated cooperation.

Sincerely,


Kevin M. McDonough
Assistant Attorney General

KMM/skc
cc: Michele Beck
Cheryl Murray