

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of a New Electric Service)
Agreement between Rocky Mountain) DOCKET NO. 12-035-94
Power and Kennecott Utah Copper, LLC)
)
In the Matter of the Application of Rocky)
Mountain Power for Approval of the Power) DOCKET NO. 12-035-95
Purchase Agreement between PacifiCorp)
and Kennecott Utah Copper LLC (Smelter))
)
In the Matter of the Application of Rocky)
Mountain Power for Approval of the Power) DOCKET NO. 12-035-96
Purchase Agreement between PacifiCorp)
and Kennecott Utah Copper LLC)
(Refinery)) SCHEDULING ORDER
) AND NOTICE OF HEARING
)

ISSUED: September 20, 2012

By The Commission:

On September 4, 2012, PacifiCorp, a public utility doing business in Utah as Rocky Mountain Power (“Rocky Mountain Power”), filed a letter notifying the Commission that it is engaged in negotiations with Kennecott Utah Copper, LLC (“Kennecott”) for a new electric service agreement (“ESA”) under which Rocky Mountain Power will provide service to Kennecott when the current ESA expires on December 31, 2012. Rocky Mountain Power’s letter requests the Commission open the above-captioned docket (Docket No. 12-035-94) and schedule a procedural conference. The letter also requests waiver of the Commission’s prior order requiring a filing for approval of an ESA between these parties to be submitted at least 75 days before a hearing. On September 6, 2012, the Division of Public Utilities filed a memorandum recommending the Commission notice a scheduling conference but deny the

requested waiver. On September 14, 2012, Rocky Mountain Power filed a petition for approval of its ESA with Kennecott.

On September 19, 2012, the Commission convened a duly-noticed scheduling conference to establish the schedule and process for examining the ESA between Rocky Mountain Power and Kennecott. In accordance with the discussion at the conference, the parties have agreed to the following schedule for this proceeding:

SCHEDULE

ITEM	DATE/DEADLINE
Parties file Comments	Monday, October 29, 2012
Requests for Intervention	Monday, October 29, 2012
Parties file Reply Comments	Tuesday, November 20, 2012
Hearing	Thursday, November 29, 2012, at 9:00 a.m., Fourth Floor Hearing Room 451, Heber M. Wells Bldg., 160 East 300 South, Salt Lake City, Utah.

For discovery requests served before October 29, 2012, responses shall be served within 14 days. For discovery requests served between October 29, 2012 and November 20, 2012, responses shall be served within 7 days. For discovery requests served after November 20, 2012, responses shall be served within 4 days. Where feasible, parties shall serve discovery requests and responses on applicable parties by electronic mail.

DOCKET NOS. 12-035-94, 12-035-95, and 12-035-96

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The parties at the scheduling conference suggested the above-referenced schedule and discovery timelines also be applied in Docket Nos. 12-035-95 and 12-035-96. Interested parties have 15 days to file an objection to this proposal and offer a different schedule for consideration. In the absence of any objection, the schedule and discovery timelines in Docket No. 12-035-94 stated above shall also apply to Docket Nos. 12-035-95 and 12-035-96, with hearings commencing consecutively beginning with Docket No. 12-035-94 at 9:00 a.m.

NOTICE OF HEARING

Notice is hereby given that a hearing in Docket No. 12-035-94 will be conducted by the Administrative Law Judge for the Public Service Commission on **Thursday, November 29, 2012, beginning at 9:00 a.m. (MST)**. The hearing will be held at the fourth floor hearing room, **Room 451, Heber M. Wells Bldg., 160 East 300 South, Salt Lake City, Utah**.

Individuals wishing to participate in the hearing by telephone should contact the Public Service Commission two days in advance by calling (801) 530-6716 or (toll-free) 1-866-PSC-UTAH (1-866-772-8824). Participants attending by telephone should then call the Public Service Commission at one of the numbers posted above five minutes prior to the hearing to ensure participation.

In accordance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this hearing should notify the Commission at 160 East 300 South, Salt Lake City, Utah 84111, (801) 530-6716, at least three working days prior to the hearing.

DOCKET NOS. 12-035-94, 12-035-95, and 12-035-96

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DATED at Salt Lake City, Utah, this 20th day of September, 2012.

/s/ Melanie A. Reif
Administrative Law Judge

Attest:

/s/ Gary L. Widerburg
Commission Secretary
D#234164

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 20th day of September, 2012, a true and correct copy of the foregoing was served upon the following as indicated below:

By Electronic Mail:

David L. Taylor (dave.taylor@pacificorp.com)
Mark C. Moench (mark.moench@pacificorp.com)
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By Hand-Delivery:

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Administrative Assistant