

R. Jeff Richards (7294)
Yvonne R. Hogle (7550)
Emily L. Wegener (12275)
1407 West North Temple, Suite 320
Salt Lake City, UT 84116
Phone: 801 220-4050
Fax: 801 220-3299
Robert.Richards@pacificorp.com
Yvonne.Hogle@pacificorp.com
Emily.Wegener@pacificorp.com

D. Matthew Moscon (6947)
Gregory B. Monson (2294)
Stoel Rives LLP
201 South Main Street, Suite 1100
Salt Lake City, UT 84111
Phone: 801 578-6929
Fax: 801 578-6999
Matt.Moscon@stoel.com
Greg.Monson@stoel.com

Attorneys for Rocky Mountain Power

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Investigation of the Costs and Benefits of PacifiCorp's Net Metering Program	Docket No. 14-035-114 ROCKY MOUNTAIN POWER'S REPLY RE APPLICATION TO INTERVENE FILED BY BRIAN C. HALL
---	---

Pursuant to R746-100-4(D), Rocky Mountain Power (the "Company") hereby submits this reply memorandum regarding the Application to Intervene ("Application") filed by Brian C. Hall.

The Company supports the objections ("Objections") filed by the Office and the Division in response to the Application and requests that the Commission deny Mr. Hall's Application. As stated in those Objections, Mr. Hall does not satisfy either of the requirements for intervention as set forth in Utah Code Ann. § 63G-4-207.

First, Mr. Hall does not have a “legal interest[]” that may be “substantially affected” by this proceeding. Utah Code Ann. § 63G-4-207(2)(a). Indeed, Mr. Hall disqualifies himself by his own, unequivocal statements:

I do NOT currently own or operate a solar electric system. I am NOT currently affiliated with any business or entity profiting from or promoting the solar industry in Utah.

Appl. ¶ 5. As such, Mr. Hall does not have the type of legal interest required, and may not intervene in this proceeding. *See In the Matter of the Application of Rocky Mountain Power for Approval of A Renewable Energy Servs. Contract Between Rocky Mountain Power & Facebook, Inc. Pursuant to Tariff Elec. Serv. Schedule 34*, 16-035-27, 2016 WL 4259392, at *2 (Aug. 2, 2016) (denying intervention for lack of “current legal interest”); *In the Matter of Rocky Mountain Powers Petition for Review to the Utah Util. Facility Review Bd.*, 16-035-09, 2016 WL 1698052, at *3 (Apr. 21, 2016) (denying intervention because not an “affected landowner”); *In the Matter of the Application of Rocky Mountain Power for Approval of an Energy Serv. Contract Between Rocky Mountain Power & Kennecott Utah Copper, LLC*, 16-035-33, 2016 WL 6248856, at *3 (Oct. 24, 2016) (denying intervention).¹

Second, Mr. Hall’s involvement would “materially impair[]” the “orderly and prompt conduct of the adjudicative proceedings.” Utah Code Ann. § 63G-4-207(2)(b). This is especially true where Mr. Hall’s interest is already being represented by the Office and the Division. *See In re Questar Gas Co.*, 2007 UT 79, ¶¶ 18-19, 175 P.3d 545; *see also In the Matter of Rocky Mountain Powers Petition for Review to the Utah Util. Facility Review Bd.*, 16-035-09, 2016 WL 1698052, at *4 n.27 (Apr. 21, 2016) (“[I]t would be contrary to the orderly and prompt conduct of Board proceedings for any public interest . . . to be represented by individuals in addition to

¹ To the extent Mr. Hall is attempting to volunteer as a potential expert in this case, he should appear in that role on behalf of one of the parties rather than appearing in his individual capacity.

the local government.”); *In the Matter of the Application of Rocky Mountain Power for Approval of an Energy Serv. Contract Between Rocky Mountain Power & Kennecott Utah Copper, LLC*, 16-035-33, 2016 WL 6248856, at *3 (Oct. 24, 2016) (denying intervention due to potential impairment of proceedings). Of course, Mr. Hall would still be allowed to participate in the proceeding through the public witness hearings if he so chose. *See In the Matter of Rocky Mountain Powers Petition for Review to the Utah Util. Facility Review Bd.*, 16-035-09, 2016 WL 1698052, at *2.

Therefore, the Company joins the Division and the Office in requesting that the Commission deny Mr. Hall’s Application to intervene in this proceeding.

RESPECTFULLY SUBMITTED:

January 4, 2017

/s/ D. Matthew Moscon

R. Jeff Richards

Yvonne R. Hogle

Emily L. Wegener

D. Matthew Moscon

Gregory B. Monson

Attorneys for Rocky Mountain Power

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing **ROCKY MOUNTAIN POWER'S REPLY RE APPLICATION TO INTERVENE FILED BY BRIAN C. HALL**

was served by email this 4th day of January, 2017, on the following:

DIVISION OF PUBLIC UTILITIES:

Patricia Schmid	pschmid@utah.gov
Justin Jetter	jjetter@utah.gov
Chris Parker	chrisparker@utah.gov
William Powell	wpowell@utah.gov
Erica Tedder	etedder@utah.gov
Dennis Miller	dennismiller@utah.gov

OFFICE OF CONSUMER SERVICES:

Rex Olsen	rolsen@utah.gov
Robert Moore	rmoore@utah.gov
Michele Beck	mbeck@utah.gov
Cheryl Murray	cmurray@utah.gov

SALT LAKE CITY CORPORATION

Tyler Poulson	Tyler.poulson@slcgov.com
---------------	--

UNIVERSITY OF UTAH

Gary A. Dodge	gdodge@hjdllaw.com
Phillip J. Russell	prussell@hjdllaw.com

SUNRUN AND ENERGY FREEDOM COALITION OF AMERICA

Thad Culley	tculley@kfwlaw.com
Jamie VanNostrand	jvannostrand@kfwlaw.com
Bruce Plenk	solarlawyeraz@gmail.com

UCARE

Michael D. Rossetti	Mike_rossetti@ucare.us.org
Stanley T. Holmes	Stholmes3@xmission.com
Dr. Robert G. Nohaver	nohavec@xmission.com

UTAH CLEAN ENERGY

Sophie Hayes	sophie@utahcleanenergy.org
Sarah Wright	sarah@utahcleanenergy.org
Kate Bowman	kate@utahcleanenergy.org

UTAH SOLAR ENERGY ASSOCIATION

Amanda Smith
Elias Bishop
Chad Hofheins

ASmith@hollandhart.com
ebishop@utsolar.org
chad@synergypowerpv.com

VIVINT SOLAR, INC.

Stephen F. Mecham

sfmecham@gmail.com

WESTERN RESOURCE ADVOCATES

Jennifer Gardner

jennifer.gardner@westernresources.org

THE ALLIANCE FOR SOLAR CHOICE

Bruce M. Plenk
Thadeus B. Culley
Anne Smart

solarlawyeraz@gmail.com
tculley@kfwlaw.com
anne@allianceforsolarchoice.com

SIERRA CLUB

Casey Roberts
Travis Ritchie
Derek Nelson

casey.roberts@sierraclub.org
travis.ritchie@sierraclub.org
derek.nelson@sierraclub.org

ENERGY STRATEGIES

Kevin Higgins
Neal Townsend

khiggins@energystrat.com
ntownsend@energystrat.com

SUMMIT COUNTY ATTORNEY

David L. Thomas

dthomas@summitcounty.org

BALLARD SPAHR LLP

Jerold G. Oldroyd
Theresa A. Foxley

oldroydj@ballardspahr.com
foxleyt@ballardspahr.com

BRICKFIELD, BURCHETTE, RITTS &
STONE, P.C.

Peter J. Mattheis
Eric J. Lacey

pjm@bbrslaw.com
elacey@bbrslaw.com

PARSONS KINGHORN HARRIS, P.C.

Jeremy R. Cook

jrc@pkhlawyers.com

PARSONS BEHLE & LATIMER

William J. Evans
Vicki M. Baldwin

bevans@parsonsbehle.com
vbaldwin@parsonsbehle.com

E- -QUANT CONSULTING LLC

Roger Swenson

roger.swenson@prodigy.net

KEYES, FOX & WIEDMAN LLP

David Wooley

dwooley@kfwlaw.com

IBEW LOCAL 57

Arthur F. Sandack

asandack@msn.com

BOEHM, KURTZ & LOWRY

Kurt J. Boehm

Jody Kyler Cohn

kboehm@BKLawfirm.com

Jkylercohn@BKLawfirm.com

KIRTON MCCONKIE

Brian W. Burnett

brianburnett@kmclaw.com

J. KENNEDY & ASSOCIATES

Stephen J. Baron

sbaron@jkenn.com

USAF UTILITY LAW FIELD SUPPORT
CENTER

Capt Thomas A. Jernigan

Mrs. Karen White

Thomas.Jernigan@us.af.mil

Karen.White.13@us.af.mil

GREENBERG TRAURIG

Meshach Y. Rhoades

rhoadesm@gtlaw.com

WAL-MART STORES, INC.

Steve W. Chriss

Stephen.Chriss@wal-mart.com

SOUTHWEST ENERGY EFFICIENCY
PROJECT

Christine Brinker

cbrinker@swenergy.org

HEAL UTAH

Michael Shay

michael@healutah.org

/s/ D. Matthew Moscon
