

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Review
of Electric Service Schedule
No. 38, Qualifying Facilities
Procedures, and Other Related
Procedural Issues

Docket No. 14-035-140

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HEARING PROCEEDINGS  
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TAKEN AT: Public Service Commission
 Hearing Room 403
 160 East 300 South
 Salt Lake City, Utah

DATE: Wednesday, January 21, 2015

TIME: 11:03 a.m.

REPORTED BY: Scott M. Knight, RPR

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1 Hearing Proceedings

2 January 21, 2015

3 PROCEEDINGS

4 THE HEARING OFFICER: All right. Why
5 don't we go ahead and go on the record. This is
6 the time and place noticed for a status--status and
7 scheduling conference in Docket No. 14-35-140 in
8 the Matter of Review of Electric Service Schedule
9 No. 38 and Other Related Matters. My name is
10 Jordan White. I'll be acting as the presiding
11 officer for this conference.

12 Why don't we go ahead and take
13 appearances? And let me just state this before we
14 do that: I mean, certainly this is a scheduling
15 conference. It is on the record, but, you know, to
16 the extent that, you know, parties have input who
17 aren't--at the table who aren't attorneys, you
18 know, that's fine, but we'll just kind of invite
19 you to come up to the microphone at some point if
20 you want to have input, otherwise. But why don't
21 we just go ahead around and take appearances
22 starting over here with Mr. Olsen.

23 MR. OLSEN: Rex Olsen on behalf of the
24 Office of Consumer Services. And Michelle Beck is
25 the witness.

1 MS. SCHMID: Patricia Schmid and Justin
2 Jetter with the Attorney General's Office for the
3 Division. And our witness today is Dr. Artie
4 Powell.

5 MS. HOGLE: Yvonne Hogle on behalf of
6 Rocky Mountain Power. And with me here today is
7 Paul Clements.

8 MS. HAYES: Sophie Hayes on behalf of
9 Utah Clean Energy. And I did not bring a
10 witness.

11 MS. BERTELSEN: Good morning. Sharon
12 Bertelsen from Ballard, Spahr on behalf of Scatech
13 Solar North America.

14 MR. DODGE: I'm Gary Dodge for
15 SunEdison.

16 THE HEARING OFFICER: And I don't intend
17 to be swearing witnesses today. I don't know if
18 we'll have that need or not, but--so I don't--I
19 don't think we'll get into that area, but just so
20 everyone's clear on that.

21 So before we proceed, I think some
22 background may be kind of helpful to kind of set
23 the table of where we've--where we've gone, where
24 we need to head, and what direction. This docket
25 was opened back in October of 2014 to address

1 several issues related to PacifiCorp's Schedule 38.
2 These issues include: (1) PacifiCorp's, you know,
3 avoided cost input changes; (2) PacifiCorp's
4 capacity contribution study for wind and solar
5 resources, which the Commission ordered PacifiCorp
6 to perform in Docket 12-35-100; and (3) various
7 potential process and/or tariff changes related to
8 Schedule 38.

9 So far, the Commission's hosted several
10 technical conferences with the understanding that
11 parties would convene here today and meet up and
12 come up with a path forward in terms of process
13 schedule, etc., including potential dates for
14 rounds of testimony, potential hearing, discovery,
15 etc.

16 On January 9, 2015, PacifiCorp filed a
17 motion for expedited approval of the capacity
18 contribution study, including related capacity
19 contribution values and the immediate
20 implementation of those values and discontinuance
21 of the current interim values that are in place.

22 So I filed an amended notice essentially
23 to inform parties that we're going to address that
24 motion, along with the existing, you know, question
25 of schedule for the 140 docket.

1 So with all that being said, I guess
2 I'll turn to Rocky Mountain Power so they'll maybe
3 potentially address the motion for expedited
4 approval of the--of the study and whether you've
5 had a chance to discuss it with other folks, etc.,
6 I guess.

7 MS. HOGLE: Yes. And thank you, Mr.
8 Hearing Officer. Yesterday, the Companies met--
9 excuse me--the parties met to discuss primarily the
10 schedule for consideration of the Company's
11 capacity contribution study. There was really no
12 in-depth discussion about the motion, so parties
13 were able to agree on a tentative schedule that
14 would have us at hearings around the middle of
15 June.

16 Having said that, the Company requests
17 that we move ahead with consideration of its motion
18 filed on January 9, 2015. The Company continues to
19 believe that its capacity contribution values
20 should replace the temporary values that were put
21 in place by the Commission.

22 It is the Company's belief that the
23 language in the order in 12-035-100 appears to
24 confirm the Company's understanding that, upon
25 filing its capacity contribution values with

1 specific company data and assuming the Company used
2 either the CF method or the ELCC method, that the
3 Commission would put in place then the Company's
4 capacity contribution values. Based on that, the
5 Company would continue to recommend for a--an
6 expedited schedule for the motion and I see no
7 reason why we can't use what's set forth in the
8 statutes with respect to how to handle that motion.
9 Thank you.

10 THE HEARING OFFICER: So before I turn
11 to responses from, I guess, the parties, I guess--
12 so let me just clarify. The parties have met and
13 discussed a potential schedule, but yet you still--
14 but I guess the motion you want to leave that in
15 play meaning that there's still a question of
16 whether or not the schedule you've tentatively
17 agreed to is--accommodate the expedited
18 consideration of that or . . .

19 MS. HOGLE: Correct. I--I believe that
20 the schedule that we tentatively agreed to
21 yesterday was scheduled to actually litigate and
22 consider whether the capacity contribution study is
23 approved and whether the CF method values that are
24 in that study replace the interim values or the
25 temporary values. And so--so it is the Company's

1 understanding that that schedule would then result
2 in a final approval of the capacity contribution
3 study.

4 The motion is different. The motion is
5 a request for the Commission to immediately replace
6 its currently temporary values ordered under the
7 12-035-100 docket with the Company's CF method
8 values, which were the result of the study.

9 And so the motion would then, pending
10 the finalization of the motion or the Commission's
11 decision on the motion, the temporary values that
12 are approved under the 12-035-100 docket would
13 still be in place. However, immediately upon the
14 Commission decision, then the Company's values
15 would, assuming the Commission sides or agrees with
16 the Company, then the CF method values that are in
17 the capacity contribution value--value--capacity
18 contribution study would replace the currently
19 existing temporary values.

20 And the schedule for--that was agreed to
21 yesterday, tentatively, would then continue on its
22 own path. And at the finalization of that process,
23 then the Commission would make a decision on the
24 final values that would result, or that would be
25 approved pursuant to the capacity contribution--

1 MR. DODGE: Jordan, could I interrupt
2 for a minute? Could we have a few minutes off
3 the record without you, because we don't have a
4 schedule. What the Company's saying now is 100
5 percent different from what they said yesterday.
6 We agreed to a schedule that did not include the
7 motion, but rather a resolution on the merits. If
8 they now changed their minds, we don't have any
9 proposal. But I didn't come prepared to argue it
10 today, because as of yesterday, we had it settled,
11 the schedule. So I'd like to hear why the company
12 has done a 180 degree flip-flop and understand if
13 we have any kind of agreement on anything or not.

14 THE HEARING OFFICER: Yeah, let's--
15 before we go off the record--and we will take a
16 brief recess--it would be helpful, too, because I
17 don't want to--sounds like you need to resolve some
18 other things with parties. But I'm still a little
19 bit puzzled because I'm obtuse, but I'm not--I'm
20 still clear on the--kind of the nexus between the
21 schedule for actually considering the study, and
22 then kind of the implementation of the--you know,
23 immediately and would that--anyway, so I guess what
24 I'm saying is, I think further discussion amongst
25 the parties for a minute would be helpful because

1 I'm still a little bit hazy. Anyway, why don't we
2 go ahead and go off the record, and if someone
3 wants to come grab me when it's appropriate, that's
4 great.

5 (Off-the-record discussion, 11:13-11:30 a.m.)

6 THE HEARING OFFICER: Why don't we go
7 back on the record.

8 Okay. So I don't know if there's a--
9 someone has been volunteered to be a spokesperson.
10 I know there was a discussion when we last talked
11 about off the record, but is there someone who
12 wants to address kind of where we left it or if
13 there's been any further discussion?

14 Ms. Hogle.

15 MS. HOGLE: I suppose I can continue.
16 The parties agreed to an expedited schedule
17 yesterday.

18 THE HEARING OFFICER: Okay.

19 MS. HOGLE: And so we all have--we all
20 landed on dates that were acceptable to us with
21 hearings on or about the middle of June. And we
22 support that schedule.

23 THE HEARING OFFICER: Okay. So before
24 we go into a discussion about schedule--so let's
25 hearken back to that. Is there still an issue of

1 what you addressed before about the pending motion
2 and--I mean, how does that bend it out, I guess,
3 the schedule for approval or review or what--what
4 have you?

5 MS. HOGLE: Our position is that the
6 expedited schedule that was agreed to yesterday
7 addresses the Company's request for an expedited
8 schedule on the motion. Thus the motion still
9 stands; however, we've agreed to a schedule for
10 final resolution of the Company's capacity
11 contribution study in addition to other Schedule 38
12 issues.

13 THE HEARING OFFICER: So--so it sounds
14 like that the same issues or requests are at play.
15 It's just that the--there would be a schedule to
16 address that that you guys have agreed to in--for
17 this docket? In other words, we wouldn't have a
18 separate--I mean, I understand that under the
19 rules, there's a--you know, based upon the filing
20 date of the motion, that--you know, there's a
21 response, reply, etc. That--that essentially is--
22 would be moot if--based upon the current schedule;
23 is that right?

24 MS. HOGLE: That is the Company's
25 understanding.

1 THE HEARING OFFICER: Is that . . .

2 MR. DODGE: It is. And I think what
3 we've agreed to do is basically accelerate the
4 final and the sort of interim approach into a
5 schedule, thus one schedule.

6 THE HEARING OFFICER: Okay.

7 MR. DODGE: So there won't be a request
8 to enter interim values. It will be a request to
9 enter final values, whatever you determine at
10 hearing.

11 THE HEARING OFFICER: So let me ask you
12 this: Would we--understanding this--this docket
13 is--kind of has omnibus issues related to Schedule
14 38, does that mean that we would phase this or
15 how--I mean, how would we--what's the most orderly
16 way to proceed with the other issues?

17 MS. BECK: Let us tell you the schedule
18 and now it will become clear.

19 THE HEARING OFFICER: Okay. Who is the
20 schedule spokesperson?

21 MR. DODGE: Do you want me to do that?
22 I'm happy to.

23 MS. HOGLE: Sure.

24 MR. DODGE: Here is our proposal: That
25 the initial testimony filing date of April 28th be

1 set for purposes of responding to the Company's
2 capacity contribution study and proposal and for
3 filing any testimony by any party affirmatively
4 proposing that the Commission adopt something
5 different with respect to Schedule 38 either in
6 terms of timing, process, or--or calculation of QF
7 values--QF pricing. So April 28 would be both
8 responsive to the Company's filing and any direct
9 testimony by any party that wanted to propose that
10 the Commission adopt something new.

11 THE HEARING OFFICER: Okay. So that
12 date--does that include all non-Company parties or
13 is that--I mean--

14 MR. DODGE: All parties, including the
15 Company.

16 THE HEARING OFFICER: Because you may
17 have proposed tariff changes as well.

18 MS. HOGLE: (Moves head up and down.)

19 THE HEARING OFFICER: Okay. That makes
20 sense, I think. Okay. April 28th.

21 MR. DODGE: And then we propose a
22 technical conference on May 6th, if that works for
23 the Commission. The purpose of that technical
24 conference would be for any party that makes an
25 affirmative proposal on capacity contribution that

1 has any--has technical components like the
2 Company's would then meet and explain their
3 proposal in a technical conference.

4 THE HEARING OFFICER: So that's one that
5 would be conducted by not the Company, but
6 whomever--and how--

7 MR. DODGE: Yes.

8 THE HEARING OFFICER: So is that--I
9 guess I'm just trying to wonder who--do we need to
10 designate today who is actually going to be
11 conducting that or is that yet to be determined?
12 Is that going to be SunEdison or--

13 MR. DODGE: I would recommend you
14 actually just ask the Division to conduct it. And
15 then if it turns out nobody makes an affirmative
16 proposal that requires it, we would request that it
17 be stricken. But otherwise, we would need anyone
18 who did make a proposal would support it at that
19 technical conference--or would explain it, I should
20 say.

21 THE HEARING OFFICER: Let me just check
22 that date.

23 Looks like that's open. What are we
24 thinking about in terms of time for how long would
25 it be for that?

1 MR. DODGE: Should we say 9:30 or
2 something that morning? We don't have the
3 Legislature at that point, so . . .

4 Why don't we say 9:30?

5 THE HEARING OFFICER: Okay. That's to
6 be determined. At this point, we'll ask the
7 Division to kind of lead the discussion, I guess.

8 MR. POWELL: Yeah.

9 MR. DODGE: And the next testimony
10 filing date would be May 28th. And that would be
11 testimony filed in response to any testimony filed
12 on April 28th.

13 And then the last round of testimony
14 would be on June 11th. And that would be testimony
15 in response to testimony filed on May 28th.

16 And the proposed hearing dates,
17 obviously contingent upon the Commission's
18 schedule, would be June 16th and June 17th. And I
19 should say in the interim, we have settlement
20 meetings planned to try and narrow and limit the
21 issues that actually have to go to hearing, but, of
22 course, that won't be in the scheduling order per
23 se.

24 THE HEARING OFFICER: So let me look at
25 those hearing dates.

1 So just--and before I do that--so--I
2 mean, is it safe to say these are--do we not want
3 to call them rebuttal, surrebuttal, just because of
4 the nature of the fact that they're--you just want
5 to call them testimony because they are
6 responsive--

7 MS. HOGLE: No. No, it's rebuttal,
8 surrebuttal.

9 THE HEARING OFFICER: Okay.

10 MR. DODGE: Or you can use response and
11 reply, whatever you want. It's just that some of
12 the testimony filed on May 28th--on April 28th will
13 be responsive. It'll still be direct, so I think
14 you can call it rebuttal and surrebuttal. I was
15 just trying to be clear that that's what we we're
16 responding to is the last round of filing. Whatever
17 you want to call it, I'll . . .

18 THE HEARING OFFICER: Okay. Let me
19 look at the June 16th and 17th. Is that what you
20 said?

21 MR. DODGE: Yes.

22 THE HEARING OFFICER: Let me. Is it
23 possible to move that date? I ask that only
24 because I'm--I'm responsible for a meeting during
25 that time. I don't know if I'll--is that a

1 potential movable date or--

2 MR. DODGE: If you want to throw out
3 some other dates around there, we can certainly
4 see. I have some flexibility on that time.

5 THE HEARING OFFICER: What about--what
6 about the 23rd and 24th of June?

7 MS. SCHMID: I believe we have--do we
8 have the Rocky Mountain Power Deer Creek? Is
9 that . . .

10 MS. HOGLE: Deer Creek is done, I
11 think, in April. But we have net metering. We
12 have--

13 MR. POWELL: Net metering is on the
14 25th.

15 MR. DODGE: On the 25th, there's net
16 metering.

17 THE HEARING OFFICER: So the 24th,
18 you've got--there's really nothing for Rocky.
19 There's a Questar thing, an IRP tech conference, on
20 the 24th, but there's not--I don't see anything for
21 Rocky on the 23th or 24th, but I could be wrong.

22 MS. BECK: Have those been noticed,
23 those Questar ones?

24 THE HEARING OFFICER: I don't know.

25 MR. POWELL: Not yet.

1 THE HEARING OFFICER: They may be just
2 placeholders.

3 MS. BECK: Because that would--it might
4 not involve the same, but it's going to involve a
5 lot of us.

6 THE HEARING OFFICER: Yeah, I think it's
7 just a placeholder by now. We could do the 22nd
8 and 23rd.

9 MR. POWELL: I'm--I think the Division's
10 okay.

11 MS. HOGLE: You know, I have dates here
12 for 6/23 and 24 and I'm wondering why we didn't
13 take those. I thought maybe somebody had something
14 and not maybe here, but the Company.

15 MS. HAYES: Right. That was our first
16 proposal.

17 MS. HOGLE: That was the first proposal.

18 MR. DODGE: I don't remember why we
19 walked away from that.

20 MS. HOGLE: I think it was our experts
21 who would be experts in this--witnesses in this
22 case are elsewhere.

23 MR. POWELL: That's right. I think
24 they said they had a hearing--

25 MS. HOGLE: Wyoming--

1 MR. POWELL: Wyoming.

2 MS. HOGLE: --Montana or something.

3 THE HEARING OFFICER: So that whole week
4 is out or--

5 MS. HOGLE: Well, I think the 23rd and
6 24th, they're out. And then the 25th is something
7 else. What's the 25th?

8 MR. POWELL: Net metering.

9 MS. HOGLE: Net metering.

10 MR. DODGE: What about--is there other
11 days on the week of the 15th that doesn't involve
12 your meetings or is that--

13 THE HEARING OFFICER: And I can, you
14 know . . .

15 MS. BECK: If we do it the 18th and
16 19th, maybe?

17 THE HEARING OFFICER: Do you have a
18 conflict on the 19th, you say?

19 MR. POWELL: No. No.

20 MS. SCHMID: I'm sure Justin can be
21 here. He and I have--

22 MR. POWELL: We can make that work.

23 MS. SCHMID: --we've made a deal.

24 MR. OLSEN: 18th and 19th?

25 MS. BECK: If that's better for you. I

1 don't know.

2 MS. SCHMID: It's the national
3 conference that you're doing the next week, isn't
4 it?

5 THE HEARING OFFICER: Well, no, it's
6 that week, but I'll be done. But I will--yeah, why
7 don't we do that? Why don't we do--well, actually,
8 no. No, that's not--that's not going to be good.

9 MS. SCHMID: Can we squish the time
10 between rebuttal and surrebuttal and then move the
11 hearing up?

12 MS. HOGLE: Yeah, that--I mean, I think
13 that'll be . . .

14 THE HEARING OFFICER: Hearing up to
15 when?

16 MS. SCHMID: Sometime the week of the
17 8th?

18 THE HEARING OFFICER: What about July?
19 Is that too late?

20 MS. HOGLE: Yeah, it's too late.

21 THE HEARING OFFICER: Well, why don't we
22 do this: Why don't we--you know, why don't we set
23 it 18th and 19th, you know. If I--you know--and I
24 may not hear it. I mean--you know, I'm planning on
25 it, but, you know, we can . . .

1 MR. CLEMENTS: We can look at the week
2 of the 8th if the parties are amendable to that.

3 MR. DODGE: It works for me.

4 THE HEARING OFFICER: 18th and--that's
5 fine, 18th and 19th. Let's do that. 18th and
6 19th. That's actually better. I'd rather just
7 deal with that after. That's great with me.

8 Okay. So let me review the dates--were
9 there any other dates that we--

10 MR. DODGE: That was all.

11 THE HEARING OFFICER: So we'd have--on
12 April 28th, we'd have testimony, or responsive
13 testimony to the--to the study, along with
14 testimony proposing tariff changes, etc., whatever
15 kind of tariff changes or what have you from
16 parties, including the Company.

17 On May 6th, there would be a tech
18 conference beginning at 9:30 to noon. And this
19 would be any parties that have an alternative
20 proposal to the contribution--capacity contribution
21 study. The Division will conduct that technical
22 conference.

23 On May 28th, rebuttal testimony in
24 response to the April 28th testimony and/or, I
25 guess, tariff proposal changes, I guess. I guess

1 it would be a combination of rebuttal testimony and
2 whatever--essentially responding to those proposals
3 on the 28th.

4 And then on June 11th, surrebuttal
5 testimony, again, responsive to the--to the--
6 whatever was filed on the 28th of May.

7 Hearing on June 18th and 19th.

8 What about discovery?

9 MR. DODGE: We actually didn't discuss
10 that. I'd assume we'd go with the normal 21, 10.

11 MS. HOGLE: Is that okay?

12 THE HEARING OFFICER: So 21 calendar to
13 the 28th?

14 MR. DODGE: Right.

15 THE HEARING OFFICER: And then 10
16 calendar to--from the 29th to the--to the--to
17 June--to June 11th?

18 MS. HOGLE: Fourteen.

19 THE HEARING OFFICER: Fourteen. Yeah.
20 I was going to say 10 sounded a little . . .

21 So 14 from the--from May 29th to June
22 11.

23 MR. DODGE: Or to 5/28.

24 THE HEARING OFFICER: Oh, yeah.

25 MS. HOGLE: Yeah.

1 MR. DODGE: And I would suggest 10
2 there. Most of the--your discovery perhaps are--
3 because there's only a month, we might want an
4 early, quick turnaround.

5 MS. HOGLE: That--that's fine. I think
6 10 is fine.

7 THE HEARING OFFICER: Okay. So 21
8 calendar days till 4/28 and then 10 calendar days
9 from the 29th--from 4/29 to the May--May 28th?

10 MR. DODGE: Right.

11 And then I would propose five best
12 efforts from the 28th through the 11th, because
13 it's a fairly short period.

14 THE HEARING OFFICER: Okay. Does that
15 sound--

16 MR. DODGE: If that's okay with people.

17 THE HEARING OFFICER: Does that--both of
18 those?

19 Okay. So this--just so I'm clear, this
20 is going to address--this will take care of the
21 "and related matters," right? This is--we don't
22 need to have a separate phase or anything? This is
23 the whole . . .

24 MS. HOGLE: Everything.

25 THE HEARING OFFICER: Okay.

1 MS. SCHMID: So as I understand it, we
2 will not be replying to the motion that was filed;
3 is that correct?

4 MR. DODGE: One way to potentially deal
5 with it is to say that the motion is granted and
6 here's the expedited schedule, or something like
7 that. The request for expedition is granted.
8 Here's the schedule and here are all issues.

9 THE HEARING OFFICER: I guess the
10 question--what's that?

11 MR. POWELL: No, I was . . .

12 THE HEARING OFFICER: Okay. Let me
13 think about that for a second. We could do that,
14 but there are some different pieces to the motion
15 rather than just--it's not just expedite the
16 schedule. It's immediate implementation, things
17 like that. So I don't know if. . .

18 MR. DODGE: There's some question about
19 what exactly was requested, but at least as to the
20 expedited part of it, and then you could indicate
21 the other issues will be subsumed within the
22 schedule.

23 THE HEARING OFFICER: I'm a bit hesitant
24 to put words in the Company's mouth. Would it--
25 would it be reasonable for you guys to file

1 something saying that--you know, the Company--with
2 respect to the motion, the Company conferred with
3 the parties and this is the current plan or
4 whatever. I'm just a little bit nervous about--I
5 mean, you have a motion out there with, you know--
6 and I don't want to make--resolve it in ways that
7 you had not intended, I guess.

8 Is that--would that--does that sound
9 reasonable, to file something like that or--I guess
10 I could deal with it in this scheduling order,
11 which is a little bit--I don't know if it's the
12 right mechanism for that.

13 Ideas? I mean--I mean--I guess we could
14 walk through again what your expectations are, what
15 the resolution of that motion is. And then I
16 could--and then we could take that into
17 consideration with respect to whatever type of
18 order we issue on that motion. That's one option.

19 Or again, we could just file something
20 saying: We file this motion. This is the current,
21 you know, agreement among the parties or--you know,
22 I'm just--I'm thinking out loud here, obviously.

23 MS. SCHMID: The Division's concern is
24 that we would like it explicit that the Company is
25 not seeking to have interim rates granted during

1 this pending schedule. That--and I would just like
2 that to be explicit.

3 THE HEARING OFFICER: Okay. And that
4 sounds like it's the case. So let's talk about
5 what makes sense--again, there's--you know, we
6 could go over it again. We could have a verbal
7 understanding and I could issue something in
8 response to that. But I--again, I think it may be
9 more helpful--I would prefer to have--whether it's
10 a Company or a joint stipulate--or something like
11 that.

12 MR. DODGE: That slightly may complicate
13 their lives, but I'm wondering if you would be
14 comfortable issuing an order that said, you know,
15 order on Company's--

16 THE HEARING OFFICER: Yeah.

17 MR. DODGE: --motion--

18 THE HEARING OFFICER: Yeah.

19 MR. DODGE: --and setting expedited
20 schedule.

21 THE HEARING OFFICER: Yeah.

22 MR. DODGE: And then saying, you know,
23 The motion was heard and response to the motion.

24 THE HEARING OFFICER: Yeah.

25 MR. DODGE: The schedule will follow on

1 all issues--all other issues and the motion will be
2 decided on the schedule.

3 THE HEARING OFFICER: Yeah, that
4 probably--that probably makes sense, so can we
5 just--now that we're on the record, we can be clear
6 on what is--the expectation is that we have a
7 schedule established to address the motion for
8 expedited schedule and we just need to be explicit
9 that that--the--I don't know if I'd call it denial,
10 but the understanding is that the--those--

11 MS. HOGLE: Joint stipulation.

12 MR. OLSEN: It's a stipulation.

13 MS. HOGLE: It's a stipulation.

14 THE HEARING OFFICER: That the current
15 study values would not be implemented until
16 resolution of the study agreed to in this docket.

17 MS. HOGLE: (To Mr. Clements) That is
18 what we agreed to?

19 THE HEARING OFFICER: Is that right? I
20 mean, if you want to take a second--again, that's
21 why, again, I'm a little bit hesitant just to put--
22 unless I know exactly what the agreement is.

23 Do you want to take a minute?

24 MS. HOGLE: Yes.

25 THE HEARING OFFICER: Let's go off the

1 record and take a minute.

2 (Off-the-record discussion, 11:49-11:53 a.m.)

3 THE HEARING OFFICER: Go ahead and go
4 back on the record.

5 So do you have a potential stipulated
6 or--stipulation to propose or--

7 MR. DODGE: We do. And if it's all
8 right, I'll word it. I'll say the wording I've
9 come up with, and the other parties can say. We
10 would like to stipulate on the record that--what we
11 think your order should be.

12 THE HEARING OFFICER: Sure.

13 MR. DODGE: It would read--some--we
14 would suggest--you obviously--

15 THE HEARING OFFICER: Sure.

16 MR. DODGE: --name it what you want.
17 It's called something like, Order on PacifiCorp's
18 Motion, blah, blah, and Order Setting Expedited
19 Schedule.

20 THE HEARING OFFICER: Okay.

21 MR. DODGE: And then what we would
22 propose as a stipulation is that--is to say, "In
23 resolution of the Company's motion, the parties
24 agree to the following expedited schedule for
25 resolution of all substantive issues in this

1 docket."

2 THE HEARING OFFICER: Okay.

3 MS. HOGLE: For final resolution.

4 MR. DODGE: Final resolution is--is
5 good.

6 THE HEARING OFFICER: Okay. Are the
7 parties in agreement with that?

8 MR. POWELL: Yes. Yes.

9 MS. BERTELSEN: Yes.

10 MS. HAYES: Yes.

11 MR. OLSEN: Yes.

12 THE HEARING OFFICER: Are there any
13 other matters that we need to address with respect
14 to this docket?

15 No? Hearing none, I appreciate your
16 willingness to work together and your patience.
17 And we're adjourned. Thank you.

18 (Proceedings concluded at 11:55 a.m.)

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CERTIFICATE

This is to certify that the foregoing proceedings were taken before me, SCOTT M. KNIGHT, a Registered Professional Reporter and Notary Public in and for the State of Utah, residing at South Jordan, Utah;

That the proceedings were reported by me in stenotype and thereafter caused by me to be transcribed into typewriting, and that a full, true, and correct transcription of said proceedings so taken and transcribed is set forth in the foregoing pages, inclusive.

I further certify that I am not of kin or otherwise associated with any of the parties to said cause of action, and that I am not interested in the event thereof.

Scott M. Knight



Scott M. Knight, RPR
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