

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint of)
Ellis-Hall Consultants against) DOCKET NO. 14-035-24
PacifiCorp/Rocky Mountain Power)
) NOTICE THAT ELLIS-HALL
) CONSULTANTS, LLC'S PETITION FOR
) REVIEW OR REHEARING IS DEEMED
) DENIED
)

ISSUED: June 17, 2014

On May 27, 2014, Ellis-Hall Consultants, LLC (“EHC”) filed a petition for review or rehearing (“Petition”) of the Commission’s April 25, 2014, order in this docket approving EHC’s motion for leave to file over-length reply comments and dismissing complaint (“Order”). On June 10, 2014, PacifiCorp, dba Rocky Mountain Power (“PacifiCorp”) filed a response to EHC’s Petition.¹

The Commission did not grant EHC’s Petition within 20 days of its filing. Therefore, EHC’s Petition is deemed denied pursuant to Utah Code Ann. §§ 54-7-15(2)(c) and 63G-4-302(3)(b). Judicial review of the Commission’s Order is governed by Utah Admin. Code § R746-100-11, Utah Code Ann. §§ 54-7-15, and 63G-4-401(3)(a), which requires the filing of a petition for judicial review of final agency action within 30 days after the date that the order constituting the final agency action is issued or is considered to have been issued under Utah Code Ann. § 63G-4-302(3)(b).

¹ PacifiCorp’s response asserts EHC’s Petition should be dismissed as untimely. We note, however, that the 30 day deadline for filing a petition for review or rehearing fell on Sunday, May 25, 2014. The following day was Memorial Day (Monday, May 26, 2014), a state holiday. Pursuant to Utah Admin. Code § R746-100-4E, “[t]he time within which an act shall be done shall be computed by excluding the first day and including the last, unless the last day is Saturday, Sunday, or a state holiday, and then it is excluded and the period runs until the end of the next day which is neither a Saturday, Sunday, nor a state holiday.” *See also* Utah Code Ann. § 68-3-7. As such, the deadline for seeking review or rehearing of the Order was May 27, 2014, and therefore EHC’s Petition was timely.

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DATED at Salt Lake City, Utah this 17th day of June, 2014.

/s/ Gary L. Widerburg
Commission Secretary
DW#256687

CERTIFICATE OF SERVICE

I CERTIFY that on the 17th day of June, 2014, a true and correct copy of the foregoing was served upon the following as indicated below:

By U.S. Mail:

Ellis-Hall Consultants
4733 Hiddenwoods Lane
P.O. Box 572098
Murray, Utah 84107

By Electronic-Mail:

Data Request Response Center (datarequest@pacificorp.com)
Customer Advocacy Team (customeradvocacyteam@pacificorp.com)

Dave Taylor (dave.taylor@pacificorp.com)
Daniel E. Solander (daniel.solander@pacificorp.com)
Eric Holje (eric.holje@pacificorp.com)
Rocky Mountain Power

Mary Anne Q. Wood (mawood@woodbalmforth.com)
Stephen Q. Wood (swood@woodbalmforth.com)
Wood Balmforth, LLC

By Hand-Delivery:

Division of Public Utilities
160 East 300 South, 4th Floor
Salt Lake City, Utah 84111

Office of Consumer Services
160 East 300 South, 2nd Floor
Salt Lake City, Utah 84111

Administrative Assistant