



## Re: Docket No. 14-035-T04 - Procedural Clarifications Requested

1 message

**PublicService Commission** <psc@utah.gov>

Thu, Jan 22, 2015 at 9:13 AM

To: Patricia Schmid <pschmid@utah.gov>

Cc: "cc: Dennis Miller" <dennismiller@utah.gov>, "Lively, Bob" <Bob.Lively@pacificcorp.com>, "Solander, Daniel" <Daniel.Solander@pacificcorp.com>, "chrisparker@utah.gov (chrisparker@utah.gov)" <chrisparker@utah.gov>, "Powell, Dr. Artie (UT DPU)" <wpowell@utah.gov>, "Beck, Michele (UT OCS)" <mbeck@utah.gov>, "Murry, Cheryl (UT OCS)" <cmurray@utah.gov>, "jjetter@utah.gov (jjetter@utah.gov)" <jjetter@utah.gov>, "Baldwin, Vicki M. (UIEC)" <vbaldwin@parsonsbehle.com>, "Evans, William J. (UIEC)" <bevans@parsonsbehle.com>, "Dodge, Gary (UIEC)" <gdodge@hjdllaw.com>, "sophie@utahcleanenergy.org" <sophie@utahcleanenergy.org>, "meghan@utahcleanenergy.org" <meghan@utahcleanenergy.org>, "rolsen@utah.gov" <rolsen@utah.gov>, "Hogle, Yvonne" <yvonne.hogle@pacificcorp.com>, Robert Millsap <bobmillsap@renewable-energy-advisors.com>, ros vrba <rosvrba@energyofutah.onmicrosoft.com>, Lisa Hickey <lisahickey@coloradolawyers.net>, Christine Mikell <christine@wasatchwind.com>, Brian Burnett <brianburnett@cnmlaw.com>, "Michael D. Cutbirth" <mcutbirth@champlinwind.com>, "Ellis-Hall Consultants, LLC" <mail@ehc-usa.com>, myates@sunedison.com, "smichel@westernresources.org" <smichel@westernresources.org>, Nancy Kelly <nancy.kelly@westernresources.org>, rob dubuc <rdubuc@westernresources.org>, Cindy Schut <cindy.schut@westernresources.org>, mike@nwaor.org, Chris Kyler <chris@kkoslawyers.com>, Jerold Oldroyd <oldroydj@ballardspahr.com>, "Tesia N. Stanley" <stanleyt@ballardspahr.com>, "Daniel R. Simon" <simond@ballardspahr.com>, schears@everpower.com, "peter-richardsonandoleary.com" <peter@richardsonandoleary.com>, Jeffrey Barrett <jhbarrett@utah.gov>, Sharon Bertelsen <bertelsens@ballardspahr.com>, "F. Robert Reeder" <FRReeder@parsonsbehle.com>

Ms. Schmid,

We understand and appreciate the desire for clarity considering the current procedural posture of Docket No. 14-035-T04. The Commission has not taken any action with respect to Rocky Mountain Power's Petition that was filed on January 9. The Notice of Intent issued by the Commission on January 16, while obviously informed by Rocky Mountain Power's January 9 Petition, was issued independent of that Petition. Considering that, it seems the answers to your questions 1. and 2. are no. With respect to question 3, the Notice of Intent states the Commission's "intent to alter the December Order by eliminating the option for a QF to be paid a separate rate for its capacity and energy." Final Commission action with respect to the Notice of Intent clearly will have appeal rights. We are not in a position to comment on any other potential appeal rights with respect to the December Order.

Best regards,

Jordan

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On Wed, Jan 21, 2015 at 4:56 PM, Patricia Schmid <pschmid@utah.gov> wrote:

Commissioners,

Various parties are confused about the effect of January 16, 2015 notice entitled "Notice of Intent to Alter Order on Review and Order Staying Portion of Order on Review" (Notice of Intent) issued in Docket No. 14-035-T04. All parties to the docket and those listed on the Commission's certificate of service for the Notice of Intent are copied on this email.

Specifically, clarification is requested regarding certain procedural issues:

1. Does the Notice of Intent change the January 26, 2015 due date for responses, if any party so desires, to Rocky Mountain Power's Petition for Reconsideration, Review or Rehearing of the Commission's December 30, 2014 Order (December Order) on Review and Motion for Stay? If so, are comments on portions of Rocky Mountain Power's petition not addressed in the Notice of Intent also due on Monday, February 2, 2015?
2. Did the Notice of Intent grant rehearing of the December Order and, if so, on what issues?
3. Did the Notice of Intent affect the finality of the December Order, altering the due date for filing, if any party so desires, an appeal of the December Order?

The Division and other parties look forward to your response.

Thank you,

Trisha

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