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BEFORE THE UTAH UTILITY FACILITY REVIEW BOARD

<p>ROCKY MOUNTAIN POWER,</p> <p>Petitioner,</p> <p>vs.</p> <p>WASATCH COUNTY,</p> <p>Respondent.</p>	<p>PROMONTORY INVESTMENTS, LLC AND PROMONTORY DEVELOPMENT, LLC’S OBJECTION AND RESPONSE TO SUBPOENA DUCES TECUM AND FOR DEPOSITION TESTIMONY</p> <p>Docket No. 16-035-09</p>
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Promontory Investments, LLC and Promontory Development, LLC (“**Promontory**”), through counsel, respectfully submit the following response and objection to the Subpoena, dated April 7, 2016 (the “**Subpoena**”), issued by Mark 25, LLC, Black Rock Ridge Master Homeowners Association, Inc., Black Rock Ridge Townhome Owners Association, Inc., and Black Rock Ridge Condominium Association, Inc. (“**Black Rock**”).

Although Promontory was prepared to lodge substantive objections to the Subpoena, and as a potential intervenor had joined in the motion of Rocky Mountain Power for a protective order against Black Rock’s discovery efforts, including the Subpoena, and without waiving those objections, Promontory now objects to the Subpoena simply on the grounds that it is moot, following the Board’s April 14, 2016 reconsideration and denial of Black Rock’s petition to

intervene. Transcript of April 14, 2016 Hearing before Utah Utility Facility Review Board,
p. 62. By reason that Black Rock is no longer a proper party in this proceeding, Promontory will
not appear or respond as directed in the Subpoena.

DATED this 19th day of April, 2016.

SNELL & WILMER LLP

(original signed by Mark O. Morris)

Mark O. Morris

Jordan Lee

Attorneys for Promontory

Investments, LLC and Promontory

Development, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of April, 2016, a true and correct copy of
**PROMONTORY INVESTMENTS, LLC AND PROMONTORY DEVELOPMENT,
LLC'S OBJECTION AND RESPONSE TO SUBPOENA DUCES TECUM AND FOR
DEPOSITION TESTIMONY** was served upon the following as indicated below:

By Electronic-Mail:

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(original signed by Mark O. Morris)

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