

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint of
Blue Mountain Power Partners, LLC against
PacifiCorp d/b/a Rocky Mountain Power

DOCKET NO. 16-035-47

NOTICE OF FILING
AND COMMENT PERIOD

ISSUED: November 29, 2016

NOTICE OF FILING

On November 23, 2016, Blue Mountain Power Partners, LLC (Blue Mountain) filed a formal complaint against PacifiCorp d/b/a Rocky Mountain Power (Rocky Mountain Power), a public utility. Blue Mountain alleges that Rocky Mountain Power has breached a Power Purchase Agreement (PPA) executed between the parties and approved by the Public Service Commission of Utah (PSC). Specifically, Blue Mountain alleges that Rocky Mountain Power refuses to recognize that certain performance deadlines set forth in the PPA are subject to extension due to an event of force majeure. Therefore, Blue Mountain requests that the PSC require Rocky Mountain Power to extend the deadlines and perform according to the resulting PPA; or, alternatively, to buy out the PPA for \$25 million.

NOTICE OF COMMENT PERIOD

Rocky Mountain Power may submit a response to Blue Mountain's complaint no later than **Thursday, December 29, 2016**. Blue Mountain may file a reply no later than **Friday, January 13, 2017**.

DOCKET NO. 16-035-47

- 2 -

DATED at Salt Lake City, Utah, November 29, 2016.

/s/ Jennie T. Jonsson
Administrative Law Judge

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DW#290499

CERTIFICATE OF SERVICE

I CERTIFY that on November 29, 2016, a true and correct copy of the foregoing was served upon the following as indicated below:

By Electronic-Mail:

Data Request Response Center (datarequest@pacificorp.com)
customeradvocacyteam@pacificorp.com
PacifiCorp

Robert C. Lively (bob.lively@pacificorp.com)
Yvonne Hogle (yvonne.hogle@pacificorp.com)
Daniel E. Solander (daniel.solander@pacificorp.com)
Megan McKay (megan.mckay@pacificorp.com)
Rocky Mountain Power

Jeff Ciachurski (jciachurski@greenbriarcapitalcorp.com)
westernwind@shaw.ca
Greenbriar Capital Corp. d/b/a Blue Mountain Power Partners, LLC

Patricia Schmid (pschmid@utah.gov)
Justin Jetter (jjetter@utah.gov)
Rex Olsen (rolsen@utah.gov)
Robert Moore (rmoore@utah.gov)
Assistant Utah Attorneys General

Erika Tedder (etedder@utah.gov)
Division of Public Utilities

By Hand-Delivery:

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

Administrative Assistant