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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

<p>In the Matter of:</p> <p>BLUE MOUNTAIN POWER PARTNERS, LLC</p> <p style="text-align: center;">Complainant,</p> <p>vs.</p> <p>PACIFICORP d/b/a/ ROCKY MOUNTAIN POWER</p> <p style="text-align: center;">Respondent.</p>	<p>Docket No. 16-035-47</p> <p>BLUE MOUNTAIN’S REPLY TO PACIFICORP’S ANSWER TO BLUE MOUNTAIN POWER PARTNERS, LLC’S FORMAL COMPLAINT, REQUEST FOR DECLARATORY RELIEF AND REQUEST FOR AGENCY ACTION; AND REQUEST FOR SCHEDULING CONFERENCE</p>
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Complainant Blue Mountain Power Partners, LLC (“Blue Mountain”) hereby submits the following Reply to PacifiCorp’s Answer to Blue Mountain Power Partners, LLC’s Formal Complaint, Request for Declaratory Relief and Request for Agency Action, and respectfully requests that Public Service Commission of Utah (the “Commission”) schedule a date for a scheduling conference in this action.

On November 23rd, 2016, Blue Mountain filed a *Formal Complaint, Request for Declaratory and Injunctive Relief and Request for Agency Action* (Blue Mountain’s “Complaint”) which includes multiple factual allegations made by Blue Mountain against Respondent

PacifiCorp d/b/a Rocky Mountain Power (“PacifiCorp”) regarding PacifiCorp’s actions and course of conduct relating to a Power Purchase Agreement entered into between the parties dated July 3, 2013 (the “PPA”).

On March 1, 2017, PacifiCorp filed with the Commission *PacifiCorp’s Answer to Blue Mountain Power Partners, LLC’s Formal Complaint, Request for Declaratory Relief and Request for Agency Action* (PacifiCorp’s “Answer”). In its Answer, PacifiCorp denied and disputed many of the facts alleged by Blue Mountain in its Complaint regarding the PPA and PacifiCorp’s actions and course of conduct relating thereto.

On March 2, 2017, one day after PacifiCorp filed its Answer, the Commission issued a *Notice of Reply Deadline* (the “Reply Notice”). In the Reply Notice, the Commission noted that PacifiCorp had filed a response to Blue Mountain’s Complaint and that Blue Mountain could file a reply “no later than **Thursday, March 16, 2017.**” (Emphasis in original).

In Reply to PacifiCorp’s Answer, Blue Mountain disputes the contentions and claims made by PacifiCorp in its Answer. Because both parties in this action dispute the claims, contentions and factual allegations of each other, Blue Mountain respectfully requests that the Commission set a date for a scheduling conference at which the parties may discuss and decide with the Commission the deadlines for fact discovery, expert discovery, and other key dates pertaining to this action.

DATED this 14th day of March, 2017.

RESPECTFULLY SUBMITTED,

/s/ Jeffrey Ciachurski
Jeffrey Joseph Ciachurski

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by email this 14th day of March 2017 on the following:

PUBLIC SERVICE COMMISSION: psc@utah.gov

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/s/ Jeffrey Ciachurski