

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Application of Rocky Mountain Power for Approval of a Significant Energy Resource Decision and Voluntary Request for Approval of Resource Decision

DOCKET NO. 17-035-40

ORDER GRANTING MOTION TO VACATE REMAINING SCHEDULE AND AMENDED SCHEDULING ORDER

ISSUED: February 13, 2018

On January 19, 2018, the Division of Public Utilities (“DPU”) and the Office of Consumer Services (“OCS”) filed a Motion to Vacate Remaining Schedule and Request for Expedited Treatment (“Motion”), requesting the Public Service Commission (“PSC”) vacate the remaining schedule in this docket and set the matter for scheduling conference. The Motion was fully briefed and oral argument held on February 6, 2018. As discussed below and good cause appearing, the Motion is granted.

At oral argument, PacifiCorp dba Rocky Mountain Power (“RMP”) conceded it has not filed all of the required supporting materials with respect to its Application for Approval of a Significant Energy Resource Decision and Voluntary Request for Approval of Resource Decision (“Application”). Specifically, RMP must file the final results of its request for proposal process, the consequent “short list” and the attendant ramifications for the Application. RMP represents it now has all of the information it requires to supplement its Application and that it intends to file those materials on February 16, 2018.

During oral argument, the parties agreed to meet and confer to discuss an acceptable schedule, assuming RMP’s Application becomes complete on February 16, 2018. While the parties could not agree on a schedule, the parties were generally amenable to a hearing date sometime in May 2018 (provided the Application is complete as of February 16, 2018).

DOCKET NO. 17-035-40

- 2 -

RMP represented at hearing it seeks a decision in June 2018 to facilitate a construction schedule that will allow RMP to capitalize on expiring tax credits. After the hearing, the DPU submitted a communication to the parties and the PSC that its expert witness will be unavailable during the “second and third weeks in May” but is available after May 23, 2018. RMP represented at oral argument it has a conflict during the week beginning May 21, 2018. Accordingly, based on information available to the PSC, the earliest practicable date for a hearing is the week beginning May 29, 2018 (the Tuesday after Memorial Day). Assuming RMP completes its Application on February 16, 2018, the PSC must issue a decision within 120 days “[u]nless [it] determines that additional time ... is warranted.” Utah Code Ann. § 54-17-302. That is, a decision should issue on or before June 18, 2018 unless the PSC determines additional time is required.

The PSC grants the Motion and vacates the remaining deadlines enumerated in the July 27, 2017 Scheduling Order. Having heard the parties’ preferences for a schedule and their respective arguments in favor thereof, the PSC orders the following schedule shall govern the docket, provided RMP files materials sufficient to complete its filing on February 16, 2018.

SCHEDULE

| ITEM | DEADLINE/DATE/TIME/LOCATION |
|---|----------------------------------|
| RMP Must File Supplemental Materials to Complete Its Application | Friday, February 16, 2018 |
| Date by which Parties Must Submit an Objection to the Completeness of RMP’s Filing ¹ | Friday, March 9, 2018 |

¹ The parties are advised to file an objection only if they believe that RMP has failed to submit the information required under rule and statute to support its Application. The sole purpose for filing such an objection should be to notify the PSC that insufficient information exists upon which to proceed with the adjudication. All arguments on the merits should be and will be preserved for hearing. If a party files an objection to the completeness of RMP’s filing, the PSC will issue a briefing schedule to address the objection.

| | |
|--|--|
| All Surrebuttal Testimony to Rebuttal Testimony Filed by Parties Other than RMP on January 16, 2018 Due | Friday, March 16, 2018 |
| All Parties' Rebuttal Testimony to RMP Supplemental Testimony on RFP Results Filed on January 16, 2018 and February 16, 2018 Due | Tuesday, April 17, 2018 |
| All Parties' Surrebuttal Testimony to Rebuttal Testimony on RFP Results Filed on April 17, 2018 Due | Tuesday, May 15, 2018 |
| Hearing | Tuesday, May 29, 2018 through Thursday, May 31, 2018, beginning each day at 9:00 a.m., Fourth Floor Hearing Room 403, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah. Parties should reserve Friday, June 1, 2018 to allow for an additional day of hearing, if necessary. |

DISCOVERY

Parties shall use their best efforts to respond to discovery requests within 10 calendar days until April 17, 2018 and seven calendar days thereafter. If a party wishes to assert an objection to the production of discovery on the basis of confidentiality, such objection must be served within five business days.

NOTICE OF HEARING

The PSC will conduct a hearing in this docket from **Tuesday-Thursday, May 29-31, 2018, beginning each day at 9:00 a.m. Parties should reserve Friday, June 1, 2018, in the event an additional hearing day is required.** The hearing will be held in the **Fourth Floor Hearing Room 403, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah.** All parties must have their witnesses in attendance and prepared to testify.

DOCKET NO. 17-035-40

- 4 -

Individuals wishing to participate in the hearing by telephone must contact the PSC two days in advance by calling (801) 530-6716 or (toll free) 1-866-PSC-UTAH (1-866-772-8824) to receive a bridge number and participant passcode. Participants attending by telephone should then call the bridge number five minutes prior to the hearing, entering the passcode followed by the # sign to ensure participation.

In accordance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the hearing should notify the PSC at 160 East 300 South, Salt Lake City, Utah 84111, (801) 530-6716, at least three working days prior to the hearing.

DATED at Salt Lake City, Utah, February 13, 2018.

/s/ Michael J. Hammer
Presiding Officer

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#299991

CERTIFICATE OF SERVICE

I CERTIFY that on February 13, 2018, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Electronic-Mail:

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

Jana L. Saba (jana.saba@pacificorp.com)
Yvonne Hogle (yvonne.hogle@pacificorp.com)
Jeff Richards (robert.richards@pacificorp.com)
Rocky Mountain Power

Sarah K. Link (sarah.kamman@pacificorp.com)
Karen J. Kruse (karen.kruse@pacificorp.com)
Pacific Power

Katherine McDowell (katherine@mrg-law.com)
McDowell Rackner Gibson PC

Gary A. Dodge (gdodge@hjdllaw.com)
Phillip J. Russell (prussell@hjdllaw.com)
Hatch, James & Dodge, P.C.

Peter J. Mattheis (pjm@smxblaw.com)
Eric J. Lacey (ejl@smxblaw.com)
Stone Mattheis Xenopoulous & Brew, P.C.

Jeremy R. Cook (jcook@cohnekinghorn.com)
Cohne Kinghorn

Mitch M. Longson (mlongson@mc2b.com)
Manning Curtis Bradshaw & Bednar PLLC

Lisa Tormoen Hickey ([lisahickey@newLawgroup.com](mailto:lisahickey@newlawgroup.com))
Tormoen Hickey LLC

Kate Bowman (kate@utahcleanenergy.org)
Utah Clean Energy

DOCKET NO. 17-035-40

- 6 -

William J. Evans (bevans@parsonsbehle.com)
Vicki M. Baldwin (vbaldwin@parsonsbehle.com)
Chad C. Baker (cbaker@parsonsbehle.com)
Parsons Behle & Latimer

Jennifer E. Gardner (jennifer.gardner@westernresources.org)
Nancy Kelly (nkelly@westernresources.org)
Western Resource Advocates

Patricia Schmid (pschmid@agutah.gov)
Justin Jetter (jjetter@agutah.gov)
Robert Moore (rmoore@agutah.gov)
Steven Snarr (stevensnarr@agutah.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