

- BEFORE THE UTAH FACILITY REVIEW BOARD -

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| ROCKY MOUNTAIN POWER,<br>Petitioner<br><br>vs.<br><br>MIDWAY CITY,<br>Respondent | <u>DOCKET NO. 20-035-03</u><br><br><u>NOTICE OF HEARING ON EMERGENCY<br/>PETITION</u> |
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ISSUED: May 22, 2020

On May 21, 2020, Respondent Midway City (“Midway”) filed an Emergency Petition for Reconsideration/Rehearing and Stay Pending Appeal of the May 7, 2020 Order (“Petition”). The Petition represented Midway required the Utility Facility Review Board (“Board”) to issue a stay the same date the Petition was filed, which did not occur. The Board understands Midway filed an appeal of the Board’s May 7, 2020 Order later that same day.

The Board gives notice it will conduct a telephonic hearing to consider the Petition on **Thursday, May 28, 2020 at 12:30 p.m.** The hearing will be conducted as an electronic meeting pursuant to Utah Executive Order No. 2020-5, Suspending the Enforcement of Provisions of Utah Code Sections 52-4-202 and 52-4-207, and Related State Agency Orders, Rules, and Regulations, Due to Infectious Disease COVID-19 Novel Coronavirus (available at <https://rules.utah.gov/wp-content/uploads/Utah-Executive-Order-No.-2020-5.pdf>).

Individuals wishing to participate in the telephonic hearing should use the following **bridge number: 720-279-0026 or 877-820-7831** and the following **passcode: 249364**.

Individuals who are not parties and do not intend to speak at the hearing may listen to the proceedings, which will be streamed and accessible at the Public Service Commission’s (PSC) website, [psc.utah.gov](http://psc.utah.gov).

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The Board asks parties to come prepared to address, initially, whether the Board has jurisdiction to consider the Petition in light of Midway's Petition for Review and Motion for Stay filed with the Utah Court of Appeals, or whether the Board must leave it to the Court of Appeals to consider whether administrative remedies have been exhausted. Additionally, the Board gives notice that it will consider and potentially act on the extent to which the Board intends to be a participant in the appellate process.

DATED at Salt Lake City, Utah, May 22, 2020.

/s/ Gary L. Widerburg  
PSC Secretary  
DW#313954

CERTIFICATE OF SERVICE

I CERTIFY that on May 22, 2020, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Email:

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