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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of Rocky Mountain Power for Authority to Increase its Retail Electric Utility Service Rates in Utah and for Approval of Its Proposed Electric Service Schedules and Electric Service Regulations.

**POST-HEARING BRIEF OF
STADION LLC**

DOCKET NO. 20-035-04

Stadion LLC (“Stadion”) respectfully submits this Post-Hearing Brief pursuant to the direction of the Utah Public Service Commission (“Commission” or “PSC”) to summarize Stadion’s position prior to the close of this docket. Stadion reiterates the central point made in its rebuttal and hearing testimony of its witness Brian Dickman, which is that the treatment of PacifiCorp’s Schedule 272 tariff within PacifiCorp’s general rate case (“Oregon GRC”) in front of the Oregon Public Utility Commission (“Oregon Commission” or “OPUC”) is not relevant to the issues in this proceeding. Mr. Dickman and Dr. Zenger now agree on this point, and there is no dispute for this Commission to resolve.

Mr. Dickman’s written testimony responded to Dr. Joni Zenger of the Division of Public Utilities (“Division”) and her potential concerns regarding Oregon Schedule 272.¹ Mr. Dickman explained that the Schedule 272 question before the Oregon Commission is unrelated to the issues raised by the Division in the Utah proceeding. The issue pending in Oregon is whether to adopt the OPUC Staff’s recommendation to investigate whether Schedule 272 should be treated as a “green tariff” (which is subject to specific criteria and regulatory guidelines set by Oregon legislation and previous Oregon Commission decisions). Mr. Dickman explained that the Oregon Commission’s decision on whether to open an investigation would have no impact on Pryor Mountain, any specific Schedule 272 agreement, or any issue in the current Utah rate case.

On October 29, 2020, Dr. Joni Zenger offered surrebuttal testimony, which stated, “I agree with Mr. Dickman that Schedule 272 issues in the Oregon GRC are not relevant to Utah’s general rate case.”² Dr. Zenger explained that she had been interested in the development of Oregon-specific conditions that were created to protect non-participating cost-of-service customers.³ However, her testimony on this issue concluded by saying, the Division takes no position on the issues before the Oregon Commission and that “[t]he Division agrees with Mr. Dickman wholeheartedly on this issue.”⁴

Stadion appreciates Dr. Zenger’s surrebuttal testimony and the Division’s final position on the inapplicability of the Oregon GRC to the case at hand. There is no

¹ *In re PacifiCorp, dba Pacific Power, Request for a General Rate Revision*, Docket No. UE 374, Initial Utility Filing (Feb. 14, 2020).

² DPU Exhibit 8.0 SR at 6:108-109.

³ DPU Exhibit 8.0 SR at 6:109-119.

⁴ DPU Exhibit 8.0 SR at 6:119-121.

dispute or disagreement for the Commission to resolve, and the Commission does not need to address any Oregon-specific questions in this Utah PSC GRC.

Respectfully submitted this 30th day of November 2020.

Sanger Law, PC

/s/ Irion Sanger

Irion Sanger

Counsel for Stadion LLC

CERTIFICATE OF SERVICE

Docket No. 20-035-04

I CERTIFY that on November 30, 2020, a true and correct copy of the foregoing was delivered upon the following as indicated below:

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