

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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| 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 | <u>DOCKET NO. 24-035-04</u><br><u>SUPPLEMENTAL SCHEDULING ORDER</u><br><u>RE: DISPOSITIVE MOTIONS AND PRE-HEARING BRIEFS</u> |
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ISSUED: August 14, 2024

On July 18, 2024, the Public Service Commission (PSC) issued a Scheduling Order, Notice of Hearings, and Notice of Public Witness Hearing ("Scheduling Order"), establishing a bifurcated adjudication schedule for this docket and consisting of two phases. Nothing in this order modifies any date or deadline established in the Scheduling Order.

The Scheduling Order invited parties to file proposals regarding the filing of pre-hearing legal briefs and/or dispositive motions. Stadion LLC, the Division of Public Utilities, the Office of Consumer Services, the Utah Association of Energy Users, and Western Resource Advocates each filed a proposal or comments responsive to the PSC's invitation.

Having reviewed these parties' comments and proposals, the PSC understands that parties are simultaneously concerned about the following with respect to dispositive motions: (1) having an opportunity to file motions after they have completed adequate discovery to identify issues that may be susceptible to summary disposition; and (2) receiving an order sufficiently early in the process such that parties may enjoy efficiencies associated with any narrowing of issues as a

consequence of dispositive motion practice. The commenting parties generally support waiving an opportunity to file replies in support of dispositive motions to facilitate their expeditious consideration. To facilitate these competing objectives, the PSC believes two rounds of dispositive motions will be necessary.

Accordingly, the PSC establishes a deadline of **Friday, September 6, 2024**, for the first round of dispositive motions. Parties should file motions by that date concerning any issue they believe is ripe for examination at that early date. Responses to motions filed by September 6, 2024, will be due by **Wednesday, September 18, 2024**. The PSC anticipates parties seeking determinations regarding, for example, increased excess liability premiums or wildland mitigation costs given the pendency of these issues in concurrent, separate dockets may be able to seek a determination in this first round of dispositive motions, but parties may file motions by September 6, 2024, concerning any issue for which they believe they have adequate information.

A second deadline will exist, on **Friday, November 1, 2024**, to file motions regarding any additional issues that arise during the course of discovery. Responses to such motions will be due **Monday, November 18, 2024**. The PSC will not consider motions during this second round that are duplicative of issues already considered in a motion filed by the earlier September 6, 2024, deadline.

As for pre-hearing legal briefs, any party may file a pre-hearing brief to discuss any legal issues they believe are pertinent on or before **Wednesday, December 11, 2024**.

**SUPPLEMENT TO SCHEDULE**

| ITEM                                     | DEADLINE/DATE/TIME/LOCATION          |
|--|--------------------------------------|
| Round 1 Dispositive Motions              | <b>Friday, September 6, 2024</b>     |
| Responses to Round 1 Dispositive Motions | <b>Wednesday, September 18, 2024</b> |
| Round 2 Dispositive Motions              | <b>Friday, November 1, 2024</b>      |
| Responses to Round 2 Dispositive Motions | <b>Monday, November 18, 2024</b>     |
| Pre-Hearing Legal Briefs                 | <b>Wednesday, December 11, 2024</b>  |

DATED at Salt Lake City, Utah, August 14, 2024.

/s/ Michael J. Hammer  
Presiding Officer

Attest:

/s/ Gary L. Widerburg  
PSC Secretary  
DW#335050

CERTIFICATE OF SERVICE

I CERTIFY that on August 14, 2024, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Email:

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Administrative Assistant