

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Application of PacifiCorp d/b/a Rocky Mountain Power for Approval and Report of the Sale of Washington Service Area and an Accounting Order	<u>DOCKET NO. 26-035-20</u> <u>SCHEDULING ORDER AND NOTICE OF HEARING</u>
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ISSUED: April 21, 2026

The Public Service Commission (PSC) held a scheduling conference in this docket on April 20, 2026, during which the parties in attendance stipulated to a schedule (“Stipulated Schedule”).

The Division of Public Utilities (DPU) expressed concern about Rocky Mountain Power’s (RMP) request to include, in the schedule, a deadline for parties to propound discovery, noting DPU has experienced issues in the past with receiving appropriately supplemented or updated discovery responses. RMP pointed to Utah Admin. Code R746-1-501(3)(e), which contemplates that the PSC “may include in a scheduling order deadlines for[,]” among other things, “completing discovery.” RMP readily conceded that DPU has broad statutory authority to require RMP to provide information pertaining to matters within the PSC’s jurisdiction regardless of the existence of a proceeding before the PSC, and RMP emphasized its readiness to work with DPU to provide any information DPU requires. *See, e.g.*, Utah Code § 54-4a-1(e). However, within the context of a specific docket, RMP insisted it is appropriate to include a deadline to propound discovery such that all parties have a reasonable opportunity to prepare for hearing.

The PSC concludes that inclusion of a deadline to propound discovery is reasonable and appropriate. Such a deadline does not restrict or otherwise interfere with DPU's ability to exercise its broad statutory authority to seek information from RMP, which is not contingent on the existence of any particular proceeding before the PSC.

However, the PSC also acknowledges DPU's legitimate interest in ensuring that RMP supplements discovery responses whenever new or different information becomes available. The Utah Rules of Civil Procedure provide: "[i]f a party learns that a ... [discovery] response is incomplete or incorrect in some important way, the party must timely serve on the other parties the additional or correct information" and must "state why the additional or correct information was not previously provided." Utah R. Civ. P. 26(d)(5).

Unless a party moves the PSC for formal discovery, the Utah Rules of Civil Procedure are persuasive, as opposed to mandatory, authority in proceedings before the PSC. Utah Admin. Code R746-1-105; R746-1-501. Given DPU's legitimate interest in ensuring discovery responses are appropriately supplemented and RMP's legitimate interest in establishing a deadline for propounding discovery in advance of the hearing, the PSC adopts RMP's proposed discovery deadline, included in the schedule below, and expressly imposes an affirmative and continuing duty on all parties to supplement their discovery responses in this proceeding whenever new,

different, or corrected information becomes available consistent with Utah R. Civ. P. 26(d)(5).

Accordingly, the PSC approves and adopts the Stipulated Schedule, as follows:

SCHEDULE

ITEM	DEADLINE/DATE/TIME/LOCATION
Non-Applicant Direct Testimony	Tuesday, August 25, 2026
Reply Testimony, All Parties	Wednesday, October 14, 2026
Non-Applicant Rebuttal Testimony	Friday, November 20, 2026
Surrebuttal Testimony, All Parties	Monday, December 21, 2026
Intervention Deadline	Monday, December 21, 2026
Discovery Deadline	Wednesday, January 6, 2027
Hearing	Wednesday, January 13, 2027, through Friday, January 15, 2027, beginning at 9:00 a.m. each day of the hearing, Fourth Floor Hearing Room 403, Heber M. Wells Building, Salt Lake City, Utah

DISCOVERY

Discovery turn-around times are 14 calendar days until November 20, 2026, and 7 calendar days thereafter. Parties shall serve discovery requests and responses on applicable parties by electronic mail. In the event a document produced in response to a discovery request cannot reasonably be transmitted by electronic mail,

the party disclosing the document shall provide an electronic copy of the document on CD (or, if an electronic copy is not available, a paper copy).

NOTICE OF HEARING

The PSC will conduct a hearing on **Wednesday, January 13, 2027, through Friday, January 15, 2027, beginning at 9:00 a.m. each day of the hearing, Fourth Floor Hearing Room 403, Heber M. Wells Building, Salt Lake City, Utah.** All parties must have their witnesses in attendance and prepared to testify. Any person desiring to attend this event must show government-issued photo identification to be admitted past the building security station.

Individuals wishing to participate in the hearing remotely should contact the PSC at least two days in advance by calling (801) 530-6716 or (toll-free) 1-866-PSC-UTAH (1-866-772-8824) to receive connection information and instructions.

Individuals needing accommodations 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, April 21, 2026.

/s/ Michael J. Hammer
Presiding Officer

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#344952

CERTIFICATE OF SERVICE

I CERTIFY that on April 21, 2026, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Email:

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