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APPROVED BY COMMISSIONERS  
STEWART STS 10/2/88  
H. CAMERON BHC 10/6/88  
JAMES M. BYRNE JMB 10/1/88

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

IN THE MATTER OF THE APPLICATION )  
OF UTAH POWER & LIGHT COMPANY, AND )  
PC/UP&L MERGING CORP. (TO BE )  
RENAMED PACIFICORP) FOR AN ORDER )  
AUTHORIZING THE MERGER OF UTAH )  
POWER & LIGHT COMPANY AND )  
PACIFICORP INTO PC/UP&L MERGING )  
CORP. AND AUTHORIZING THE ISSUANCE )  
OF SECURITIES, ADOPTION OF TARIFFS, )  
AND TRANSFER OF CERTIFICATES OF )  
PUBLIC CONVENIENCE AND NECESSITY )  
AND AUTHORITIES IN CONNECTION )  
THEREWITH. )

*This order did not get sent out prior to the 20 day having run. Place on file for information only JMB*

ORDER ON APPLICATION FOR REVIEW OR REHEARING  
CASE NO. 87-035-27

BY THE COMMISSION:

In this matter NUCOR Steel, Geneva Steel, Amax Magnesium Corporation and the Committee of consumer Services have filed with the Commission applications for review or rehearing of the Commission's Order dated July 11, 1988. As indicated, that Order was intended as a preliminary courtesy to the parties and the precursor of the Final Order issued by the Commission on September 28, 1988.

As stated clearly in our Order On Applications for Rehearing dated September 6, 1988, any applications for review or rehearing directed at the July 11, 1988 Order would not be considered and should be renewed and redirected at the Commission's final Order of September 28, 1988. The parties should, therefore, refile their applications if they intend to object formally to that Order.

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UTAH PUBLIC SERVICE COMMISSION

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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

In the Matter of the Application )  
of UTAH POWER & LIGHT COMPANY )  
and PC/UP&L MERGING CORP. (to be )  
renamed PACIFICORP) for an Order )  
Authorizing the Merger of UTAH )  
POWER & LIGHT COMPANY and )  
PACIFICORP into PC/UP&L MERGING )  
CORP. Authorizing the Issuance )  
of Securities, Adoption of Tariffs )  
and Transfer of Certificates of )  
Public Convenience and Necessity )  
and Authorities in Connection )  
Therewith. )

Case No. 87-035-27

**APPLICATION FOR REVIEW  
OR REHEARING BY NUCOR STEEL**

Intervenor, Nucor Steel, a division of Nucor Corporation (hereinafter "Nucor"), hereby applies for review or rehearing of the Commission's Report and Order issued in this proceeding on September 18, 1988 (the "Order").

## GROUND FOR REVIEW OR REHEARING

In the Order, the Commission recognized the potential impact that an order of the Federal Energy Regulatory Commission ("FERC") concerning the proposed merger may have on the public interest of Utah (see for example pp. 102 and 103 of the Order).

On September 28, 1988, the FERC, at an open meeting scheduled to consider the approval of the proposed merger considered and continued the matter pending a further report from its advisory staff concerning the conditions which should be imposed if the merger were approved. In the alternative the Commission indicated that without the development of appropriate conditions the merger would not be approved.

Thus, it appears that if the merger is ultimately approved by the FERC it will be the subject of certain conditions and that this Commission will consider those conditions and enter a final order conforming or reacting to those conditions. At a minimum, the Order anticipates that this Commission will issue a final order which will comment, one way or another, on the FERC conditions and their impact on the public interest in Utah.

Accordingly, Nucor files this protective application for review or rehearing.

Nucor respectfully submits that the merger should not have been approved by this Commission without adequate protection against the potential that a final FERC order may contain provisions and conditions adverse to the public interest of the state of Utah. The Commission should revise the Order to make approval expressly conditional on FERC-mandated conditions not significantly different than those expressly explained to this Commission on the

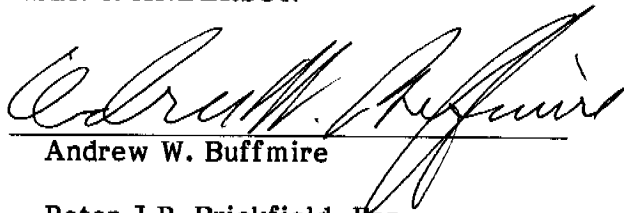
record during the Utah hearings. The Order should also establish a mechanism for reconsideration, with participation of all parties to the original proceedings, and for further hearings and factual investigations as may be appropriate in light of the final FERC order.

Because Nucor cannot know or anticipate what conditions FERC may impose when an order is issued or how those conditions may affect the public interest of Utah, Nucor reserves the right to delineate additional grounds for this Application for Review or Rehearing after the issuance of the final FERC order.

DATED this 18<sup>th</sup> day of October, 1988.

HANSEN & ANDERSON

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Public Convenience and Necessity )  
and Authorities in Connection )  
Therewith. )

Case No. 88-035-27

**CERTIFICATE OF SERVICE**

On this 18th day of October, 1988, I hereby certify that I caused to be mailed via United States first-class mail, postage prepaid, a true and accurate copy of the APPLICATION FOR REVIEW OR REHEARING OF NUCOR STEEL, to the parties listed below:

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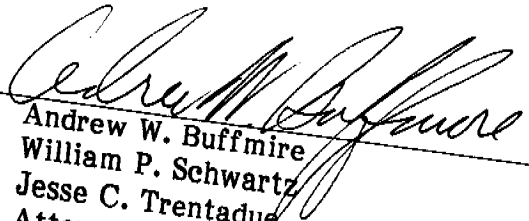
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