

DOCKETED

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In the Matter of the Application )  
of UTAH POWER & LIGHT COMPANY and )  
PC/UP&L Merging Corp. (to be renam- )  
ed PacifiCorp) for an Order Author- )  
izing the Merger of Utah Power & )  
Light and PacifiCorp into PC/UP&L )  
Merging Corp. Authorizing the Is- )  
surance of Securities, Adoption of )  
Tariffs and Transfer of Certifi- )  
cates of Public Convenience and )  
Necessity and Authorities in Con- )  
nection Therewith. )

DOCKET NO. 87-035-27

ORDER SETTING REVISED  
PROCEDURAL SCHEDULE

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ISSUED: April 14, 1988

Appearances:

L.R. Curtis	For	Utility Shareholders Association
Val R. Antczak	"	Kennecott Copper and other industrial intervenors
James A. Holtkamp	"	U.A.M.P.S.
Gregory P. Williams	"	Coastal States Energy Company and other intervenors
Edward A. Hunter	"	Utah Power & Light Company
Gary Dodge Richard Clayton	"	Basic Manufacturing and Technologies
Jerrald Conder	"	AMAX
Gregory S. Monson	"	Pacific Power & Light
Andrew W. Buffmire	"	Nucor Steel
Michael Ginsberg, Assistant Attorney General	"	Division of Public Utilities, Department of Business Regulation, State of Utah
Sandy Mooy, Assistant Attorney General	"	Committee of Consumer Services

By the Commission:

This matter came on for hearing before the Commission the 5th day of April, 1988, pursuant to this Commission's notice of hearing on the Motion to Modify Hearing Schedule filed herein by the Committee of Consumer Services and the Division of Public Utilities the 30th day of March, 1988. At the hearing, the Committee of Consumer Services informed the Commission of the difficulties it had experienced in utilizing the power production model provided by the Applicants for analyses of the proposed merger. The Applicants thereafter modified the model to eliminate the errors that existed. The Committee of Consumer Services represented that it appeared that the modified model now performed adequately for the analyses to be performed. The Committee of Consumer Services indicated that the difficulties had caused a delay of two weeks in the preparation of its testimony and therefore requested that it file its testimony April 20, 1988.

The Division of Public Utilities represented that it also had been delayed in the preparation of its testimony due to the efforts to modify the model. However, the Division of Public Utilities' reliance upon and use of the model was substantially different than that of the Committee of Consumer Services. The Division of Public Utilities indicated that it could file its testimony on April 11, 1988. Other intervenors appearing at the hearing stated that they did not oppose the requested extensions sought by the Committee of Consumer Services and the Division of Public Utilities, but requested that any extension granted be applicable to all intervenors.

The Applicants opposed the two-week extension sought by the Committee of Consumer Services; positing that the reluctance of the Committee of Consumer Services to continue its analyses until the model was modified was unconscionable. The Applicants did acknowledge that some delay had occurred, but argued that the delay should have been no more than seven days. The Applicants also argued that any extension granted as a result of the problems with the model be limited to those parties that were using the model in the preparation of their testimony; vis the Committee of Consumer Services and the Division of Public Utilities.

The Commission now having heard all arguments and positions of the parties appearing at the hearing and considering the same determines that modification of the procedural schedule is necessary for the parties to have adequate time to prepare the testimony and information upon which this Commission will rely to consider approval of the Applicants' proposed merger.

Based on the foregoing and good cause appearing therefor, the Commission issues the following

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, That the following schedule for this proceeding be established:

- |                |                                                                                                                      |
|----------------|----------------------------------------------------------------------------------------------------------------------|
| April 11, 1988 | All intervenors, other than the Committee of Consumer Services, shall file their testimony.                          |
| April 18, 1988 | The Committee of Consumer Services shall file its testimony.                                                         |
| April 25, 1988 | Counsel for the parties shall hold an Attorney's conference at 9:00 a.m. in Room 427 of the Heber M. Wells Building. |

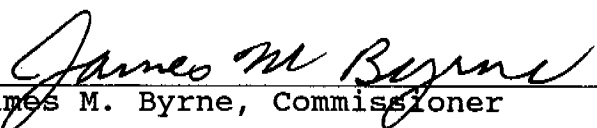
- April 26, 1988      A prehearing scheduling conference will be held before the Commission at 9:00 a.m. in the Commission Hearing Room of the Heber Wells Building, 160 East 300 South, Salt Lake City, Utah.
- April 27, 1988      The Applicants shall file their rebuttal testimony to the testimony filed April 11, 1988.
- April 29, 1988      The Applicants shall file their rebuttal testimony to the testimony filed April 18, 1988.
- May 2, 1988        Hearing upon the application of the Applicants will commence.
- May 9, 1988        All intervenors shall file surrebuttal to the rebuttal testimony of the Applicants. If intervenor witnesses begin testifying prior to May 9, 1988, those appearing before that date shall present their surrebuttal testimony orally.

IT IS FURTHER ORDERED, That the Applicants provide on or before April 22, 1988, a list of and copies of the settlements and agreements entered into by the Applicants and third parties and conditions and/or orders imposed by other regulatory agencies that stem from the Applicants' proposed merger. The Applicants shall provide an analysis and evaluation of the impact such settlements, agreements, orders, conditions, etc. have upon the Applicants' proposed merger relative to the benefits identified and testimony presented in the Applicants' filings with this Commission.

DATED in Salt Lake City, Utah this 14th day of April,  
1988.

  
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Brian T. Stewart, Chairman

  
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Brent H. Cameron, Commissioner

  
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James M. Byrne, Commissioner

Attest:

  
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Stephen C. Hewlett  
Commission Secretary