

BEFORE THE
PUBLIC SERVICE COMMISSION

APPROVED BY COMMISSIONERS

BRIAN T. STEWART

BTS 3/24/88

BRENT H. CAMERON

BHC 3/28/88

JAMES M. BYRNE

JMB 3/24/88

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

CASE NO. 87-035-27

Expect stipulation or draft order along these lines 3/25/88

MOTION TO MODIFY HEARING SCHEDULE

AMAX Magnesium Corporation ("AMAX") hereby petitions the Commission to make certain limited alterations to the procedural schedule established in this proceeding. Specifically, AMAX requests that the schedule now governing the Committee of Consumer Services ("Committee") be applied to all Intervenors. 1/ The requested schedule modification is necessary because of recent extensions in the hearing schedule at the Federal Energy Regulatory Commission ("FERC"). Moreover, the requested relief will not

1/ A side-by-side comparison of the revised schedule governing the Committee with the pre-existing schedule applicable to other Intervenors follows:

	Other Intervenors	Committee
Filing of Testimony	3/28/88	4/6/88
Applicants' Rebuttal Testimony	4/11/88	4/20/88
Filing of Surrebutal Testimony	4/25/88	5/2/88


delay this Commission's hearing now scheduled to commence on May 2, 1988.

On March 2, 1988, the FERC extended by two weeks the deadline for the issuance of the Administrative Law Judge's ("ALJ") initial decision. The FERC ALJ has interpreted this Order to mandate two additional weeks of hearings to afford the parties a full opportunity to cross-examine opposing witnesses. Thus, the FERC hearing record will not be closed until April 1.

Granting the short time extension requested here, or a longer extension, would allow this Commission to consider the proposed merger on the basis of the full record before the FERC, including all proposed conditions. For example, on March 18, Idaho Power Company and Montana Power Company announced that a settlement agreement had been reached with the Applicants under which 80 mw of firm transmission capacity would be provided to enable Idaho to sell power to the Utah Associated Municipal Power Systems and to Washington City. It is very likely that other parties will soon propose their own terms and conditions when initial briefs are due on April 8. A short time extension in this Commission's hearing schedule would allow the consideration of a full record containing all proposed conditions and the positions of the various parties in response thereto. Simply stated, the extension would enable the Commission to consider all of the relevant factors in determining whether the proposed merger is in the public interest.

For the foregoing reasons, AMAX requests that the Commission issue an Order extending the due date for the filing of Intervenor's direct testimony from March 28 to April 6, 1988; for the filing of Applicants' rebuttal testimony from April 11 to April 2⁷, 1988; and for the filing of Intervenor's surrebuttal testimony from April 25 to May 2, 1988.

Respectfully submitted,



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Attorneys for
AMAX MAGNESIUM CORPORATION

Dated: March 22, 1988

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been served this date upon all parties listed on the service list in accordance with the requirements of Rules of the Commission. Dated at Washington, D.C. this 22nd day of March, 1988.


J. Patrick Berry

RECEIVED

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UTAH PUBLIC
SERVICE COMMISSION

March 22, 1988

Public Service Commission of Utah
160 East 300 South
Fourth Floor
Salt Lake City, UT 84111

RE: Application of Utah Power & Light Company and
PC/UP&L Merging Corporation,
Case No. 87-035-27

Dear Sir:

Enclosed for filing in the above-referenced proceeding is an original telecopy of a Motion to Modify the Hearing Schedule of AMAX Magnesium Corporation. The original document and an additional nineteen copies will be filed with the Commission on March 23, 1988.

Thank you for your attention to this matter.

Very truly yours,



J. Patrick Berry

Attorney for
AMAX Magnesium Corporation

cc: Service List

Enclosures