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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

~~UTAH PUBLIC~~  
SERVICE COMMISSION

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 and Pacificorp into PC/UP&L Merging Corp. Authorizing the Issuance fo Securties, Adop-tion of Tariffs and Transfer of Certificates of Public Convenience and necessity and Authorities in Connection Therewith

Motion to Enter Order Compelling Discovery

Case No. 87-035-27

Comes now the Committee of Consumer Services and hereby moves this Commission to enter it's Order compelling Utah Power and Light Company to provide immediate and full response to Interrogatory No. 187 of the 10th set of Data Requests submitted by the Committee of Consumer Services herein. Copies of the Interrogatory and the current response are attached hereto as Exhibit 'A'.

The response does not provide all of the documentation available. The reason given for the incomplete response is beyond the criteria of the Protective Order entered by this Commission to facilitate the exchange of information which may be deemed confidential by a party. The Committee of Consumer Services requests that Utah Power and Light Company be required to immediately provide the documentation/information. If the information is deemed confidential, the Committee of Consumer Services and it designated experts have already filed with the Commission, and provided to Utah Power and Light Company, the

RESPONSE TO INFORMATION REQUEST  
UTAH POWER & LIGHT COMPANY  
COMMITTEE OF CONSUMER SERVICES  
TENTH DATA REQUEST  
UP&L DATA REQUEST  
UP&L/PACIFICORP MERGER  
PSCU CASE NO. 87-035-27

Request No. 187:

Provide a copy of each contract governing power sale agreements to all entities comprising the following stations modeled in PROMOD:

- a) AMAX
- b) MONSANTO
- c) U.C.
- d) KENN
- e) NUWEST
- f) NUCOR
- g) GENEVA
- h) NEV BASE
- i) NEV PEAK

Response No. 187:

The power sale agreements with AMAX, MONSANTO, U.C. (Union Carbide), KENN (KENNECOTT), NUWEST, NUCOR and GENEVA contain information which is considered confidential by those customers. Copies of those contracts will be made available for review at the General Office of Utah Power & Light Company under the terms of the protective order only with the written consent of the customer. A copy of the Power Sales Agreement between Utah Power & Light Company and Nevada Power Company was submitted, as Utah Power & Light Exhibit 1.1, with Mr. Topham's Testimony in Case No. 87-035-26.

The Committee of Consumer Services was a party to the Utah Public Service Commission proceeding and received a copy of the agreement.

Dated this 16<sup>th</sup> day of March, 1988.

STATE OF UTAH                    )  
  : ss  
COUNTY OF SALT LAKE        )

Shelley R. Faigle, being duly sworn deposes and says:

That she is the Assistant Vice President, Marketing, of Utah Power & Light Company, that she has read the foregoing response to Committee of Consumer Services Data Request No. 187

UTCCS187

and knows the contents thereof, and that the same is true to the best of her knowledge and belief.

Shelley R. Faigle  
Shelley R. Faigle

SUBSCRIBED AND SWORN TO before me this 16<sup>th</sup>  
day of March, 1988.

Helen Louise Richter  
NOTARY PUBLIC

Residing at: S.L.C., Utah

My Commission Expires:

3/5/89