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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. AND AUTHORIZING THE ISSUANCE)	
OF SECURITIES, ADOPTION OF TARIFFS,)	
AND TRANSFER OF CERTIFICATES OF)	
PUBLIC CONVENIENCE AND NECESSITY)	
AND AUTHORITIES IN CONNECTION)	
THEREWITH.)	
		GENEVA STEEL'S RESPONSE TO UTILITY SHAREHOLDERS ASSOCIATION OF UTAH'S PROPOSED LIST OF STIPULATED FACTS, AND ISSUES AND FACTS IN DISPUTE
		<u>CASE NO. 87-035-37</u>

In accordance with the Commission's Order for Stipulation of Agreed and Disputed facts issued February 26, 1988, intervenor Basic Manufacturing & Technologies of Utah, Inc. d/b/a Geneva Steel (hereafter referred to as "Geneva Steel") hereby respectfully submits the following response to the "Proposed List of Stipulated Facts, and Issues and Facts in Dispute" (hereafter the "Proposed Facts") submitted herein by the Utility Shareholders Association of Utah (hereafter "Shareholders").


Geneva Steel submits that the Proposed Facts submitted by the Shareholders are so voluminous, complex and self-serving that it is unreasonable to expect that other parties could respond meaningfully at this stage of the proceedings. Geneva Steel acknowledges that it is in the best interests of the parties and the Commission if agreement can be reached as to the facts at issue in this matter. The Proposed Facts submitted by the Shareholders, however, do not provide a reasonable starting point for working towards such an agreement. The Proposed Facts consist of over fifty pages of single-spaced "facts," many of which are, in reality, conclusions that should be the province of this Commission following the hearings in this matter. Requiring the parties to respond specifically to these voluminous and self-serving allegations would be nothing more than an exercise in futility.

Moreover, the timing of the parties' initial response to the Proposed Facts makes the burden associated with formulating a meaningful response particularly onerous. Because the Proposed Facts are complex and involve much technical information, the process of formulating specific responses to the Proposed Facts will necessitate that Geneva Steel consult with the expert witnesses it has retained in this matter. These experts, however, are currently involved on behalf of another party in the merger hearings at the FERC and are also in the midst of preparing their testimony for this proceeding. It is

inappropriate and unfair at this point to expect that intervenors and their expert witnesses will have the time available to understand and respond appropriately to the Proposed Facts.

In an attempt to narrow the factual issues requiring consideration at the hearing in this matter, Geneva Steel will attempt to carve out general areas in which it agrees with the Proposed Facts and will comment on those general areas in which it perceives agreement will be unlikely. However, the time required to complete such a task will simply not be available until the experts retained by Geneva Steel have concluded their participation in the FERC hearings and until Geneva Steel has prepared and submitted its testimony in this matter.

DATED this 24th day of March, 1988.



ROBERT J. GROW, Esq.
General Counsel,
Basic Manufacturing &
Technologies Utah, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the persons shown on Exhibit A by mailing a copy thereof via United State Mail, properly addressed and postage prepaid.

DATED at Salt Lake City, Utah, this 24~~th~~ day of March, 1988.

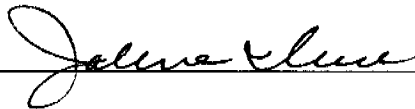


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