

File

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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

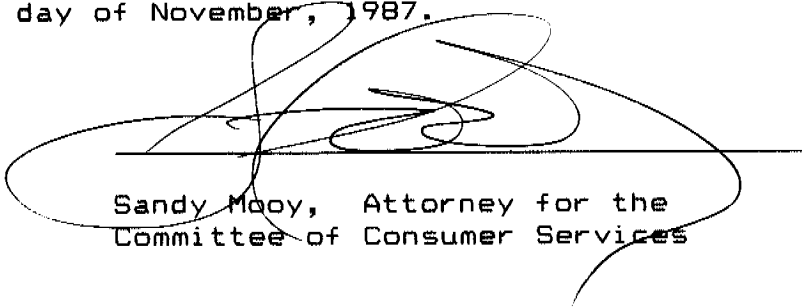
87 NOV 10 P4:46

In the Matter of the Application of :
 Utah Power & Light Company and :
 PC/UP&L Merging Corp. (to be received :
 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. :

UTAH PUBLIC SERVICE COMMISSION
 CASE NO. 87-035-27
 NOTICE OF HEARING

Notice is hereby given that the Motion to Modify Hearing Schedule, filed herein by the Committee of Consumer Services, will be heard by the Public Service Commission of Utah the 17th day of November, 1987, at 9:00 a.m., in the Commission Hearing Room, 4th floor, Heber Wells Building, 160 East 4th South, Salt Lake City, Utah.

Dated this 10th day of November, 1987.



Sandy Mooy, Attorney for the
 Committee of Consumer Services

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 Padificorp) for an Order Authorizing the Merger of Utah Power & Light and Pacificorp into PC/UP&L Merging Corp. Authorizing the Issuance fo Securties, Adoption of Tariffs and Transfer of Certificates of Public Convenience and necessity and Authorities in Connection Therewith

Motion to Modify Hearing Schedule

Case No. 87-035-27

The Committee of Consumer Services hereby moves the Public Service Commission of Utah to modify the schedule pertaining to this matter, which schedule was established at the prehearing conference held in this matter the 19th day of October, 1987.

The current schedule has the Applicants filing their last installment of testimony the 23rd day of November, 1987. The last day to submit discovery requests to the Applicants is the 21st day of December, 1987; exactly twentyeight days after the Applicants will have completed the filing of their testimony. Thus, even if parties could propound discovery requests to the Applicants the day after the Applicants have filed their testimony, responses to such discovery would not be due until two days after the cutoff date of further discovery.

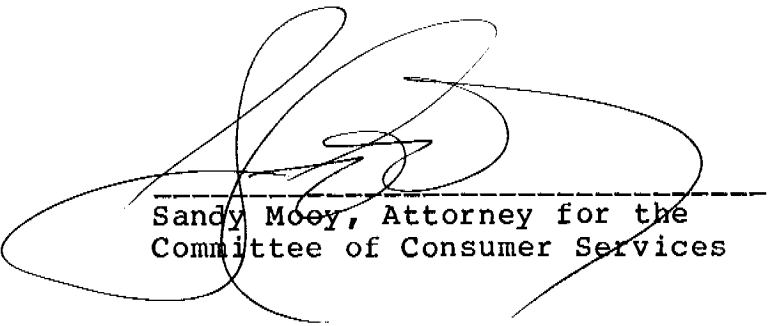
The Committee of Consumer Services is concerned by this scheduling inthat the to date filings of the Applicants are (to avoid a jeremiad) best described as devoid of factual substance. Since the real substance of the Applicants' application will not

be available until 23 November, 1987, (if then), rather than coming in with the testimony installments as anticipated at the prehearing conference, the current schedule appears unreasonable if adequate opportunity for discovery is intended.

As noted above, the current schedule severely limits the time in which meaningful discovery may be taken and does not permit a reasonable time to engage in meaningful discovery if follow-up discovery is required. The need for follow-up discovery requests appears necessary in light of the current quality of testimony filed by the Applicants. This characterization of Applicants' testimony is not unique to the Committee, see e.g., Post-hearing Brief in Response to Applicants' Post-hearing Brief on Issue of Public Interest, filed by the Industrial Customers, page 15.

The current schedule, when set, was acknowledged to be a 'fast track' schedule. It now portends to be a 'blind track' as well. Modifications to the hearing schedule are necessary if this Commission is to truly have an adequate opportunity to determine if the proposed merger is in the public interest.

Dated this 10th day of November, 1987.



Sandy Moey, Attorney for the
Committee of Consumer Services

CERTIFICATE OF SERVICE

This certifies that a copy of the foregoing Motion to Modify Hearing Schedule and Notice of Hearing in Case 87-035-27 was mailed or hand delivered this 10th day of November 1987 to each of the following:

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