

MINUTE SLIP

LAW AND MOTION

DATE: April 2, 1999

CASE: 98-2035-04

IN THE MATTER OF: Application of PacifiCorp and Scottish Power plc for an Order Approving the Issuance of PacifiCorp Common Stock.

FILED BY: Public Service Commission

DISPOSITION: There was a discussion on the various issues submitted to the Commission. They discussed what is the evidence that is relevant to this docket, such as hiring, firing, deregulation, competition, annexation, etc., and whether or not these should be considered. Where does the burnden of proof lie?

There was a discussion on whether or not there presently is a need for a quasi partial summary judgment to determine what issues are relevant in affecting the final outcome of this docket. They talked about how the related to what is included in the public interest standard and what conditions provide a net positive benefit.

Discussion followed on what conditions should be expanded upon in the merger consideration. What conditions are measurable, defineable and enforceable? Who has the burden of proof?

Because of the intensity and scope of the issues presented, the Commission delayed ruling and will follow up with an order.

COMMISSIONERS PRESENT

MECHAM X

WHITE X

JONES X

MINUTES BY: Julie Orchard

REPORTED BY: Mary Quinn, Court Reporter