

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application)	<u>DOCKET NO. 04-035-68</u>
of PACIFICORP for Approval of the)	
Supply of Supplementary, Maintenance)	<u>ORDER APPROVING</u>
Back-up Electric Service to Kennecott)	<u>SERVICE AGREEMENT</u>
Utah Copper Corporation)	

ISSUED: January 20, 2005

By the Commission:

On December 9, 2004, PacifiCorp submitted an Application seeking approval of a service agreement (Agreement) with Kennecott Utah Copper Corporation (Kennecott). The Agreement provides for the provision of supplementary, maintenance and back-up electric service to replace an existing service agreement which has an expiration date of December 31, 2004. PacifiCorp and Kennecott have informed the Commission that they have agreed to extend the terms of the expired agreement through January, 2005, until the proposed Agreement is reviewed and approved by the Commission. Based upon inquiry with the Division of Public Utilities, the Committee of Consumer Service, Kennecott and PacifiCorp, due to the limited time before the current service agreement will expire and anticipating no opposition to the proposed Agreement, the Commission will convert this proceeding pursuant to Utah Administrative Rule R746-110 and issue a tentative order approving the proposed Agreement.

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. The Agreement submitted by PacifiCorp on December 9, 2004, for electric service to Kennecott is approved on a tentative basis pursuant to Rule 746-110.

2. Within 20 days of the issuance of this order, interested persons may file a written protest with the Commission. Absent meritorious protest, vacation and subsequent order by the Commission, this order shall become effective and final 20 days from its issuance date without further action by the Commission. The Agreement may not be

extended or modified without Commission approval and order.

DATED at Salt Lake City, Utah, this 20th day of January, 2005.

/s/ Richard M. Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary

G#42009