

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Complaint of Georgia B. Peterson, )  
Janet B. Ward, William Van Cleaf, David Hiller, GP )  
Studio, Inc., Truck Insurance Exchange, and Farmers )  
Insurance Exchange on Behalf of Themselves and All )  
Other Members of the Class Described Below Against )  
Scottish Power PLC and PacifiCorp, dba Utah Power and )  
Light Co., Requesting an Investigation, and Enforcement of )  
the Commission's Orders in Docket Nos. 87-035-27 and )  
98-2035-04 and Compensation for Losses )

DOCKET NO. 04-035-70

SECOND PROCEDURAL NOTICE

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ISSUED: July 12, 2005

By The Commission:

On July 1, 2005, in response to Petitioners' June 17, 2005, request, the Commission issued a Procedural Notice ("Procedural Notice") permitting Petitioners until July 29, 2005, to file responses to various recent filings by Utah Power and the Division of Public Utilities. On July 7, 2005, Utah Power filed a Response to Motion and Letters Filed by Petitioners and Request for Modification of Procedural Notice, stating Utah Power does not support permitting Petitioners to respond to Utah Power's Reply in Support of Motion to Dismiss ("Reply") filed May 20, 2005. Utah Power requests the Commission modify its Procedural Notice to make clear that Petitioners' July 29, 2005, filing may not include a response to Utah Power's Reply.

While the Commission shares Utah Power's concern that traditional legal practice with respect to motions not be expanded without proper justification, the Commission believes the current posture and claimed breadth of this docket warrants providing Petitioners the opportunity to respond. As the moving party, Utah Power shall then have fifteen days from the date of filing of Petitioners' response to file its reply.

Following submission of these matters, further briefing and proceedings will be scheduled as necessary.

DATED at Salt Lake City, Utah, this 12<sup>th</sup> day of July, 2005.

/s/ Julie Orchard  
Commission Secretary

G#45085