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*Attorneys for US Magnesium*

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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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In the Matter of the Request for Agency Action And Complaint of US Magnesium, LLC against Dominion Energy Utah	<b>Docket No. 17-057-13</b>
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**US MAGNESIUM, LLC'S MOTION TO STRIKE HEARING DATE AND TO HOLD  
SCHEDULING CONFERENCE TO SET NEW HEARING DATE**

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US Magnesium, LLC hereby submits this Motion to strike the hearing currently scheduled for March 20, 2018 at 9:00 a.m. and to hold a scheduling conference at that time to set a new hearing date. In its March 12, 2018 Order Granting Partial Summary Judgment (“Order”), the Commission ordered the parties to provide the Commission with copies of detailed phone records showing calls and text messages made and received on January 6, 2017. The Court further ordered that the Commission would accommodate a reasonable extension to the hearing date upon request from either party.

In response to the Order, US Magnesium has worked diligently to locate the requested cell phone records, but has been unable thus far to obtain the records. US Magnesium will continue to seek the requested records, but it is unclear at present how long that process will take


and it is possible that US Magnesium may not be able to provide the Commission with such records by the date of the hearing. Moreover, some of the information to be produced to the Commission will necessarily have to come from Dominion and US Magnesium would appreciate an opportunity to review records to be produced by Dominion in advance of the hearing to assist in preparing for argument and testimony on those records. As such, US Magnesium respectfully requests that the Commission strike the hearing currently scheduled for March 20, 2018 at 9:00 a.m. and hold a scheduling conference on that date and time to set a hearing date at a time convenient for the Commission and the parties.

In addition to the foregoing, US Magnesium requests an extension to the hearing for the independent reason that US Magnesium witness Mike Tucker will be in Idaho on Monday, March 19 to attend the funeral of his sister, who passed away quite recently. If the hearing date is not extended, Mr. Tucker will be required to cut short his time with family to return to Salt Lake City for the hearing, and US Magnesium requests an extension of the hearing date to allow Mr. Tucker to be with his family at this time.

Counsel for US Magnesium has spoken with counsel for the Division of Public Utilities and with counsel for Dominion and can represent that neither the Division nor Dominion oppose a reasonable extension to the hearing date. Given the short time period remaining before the hearing, US Magnesium respectfully requests that the Commission issue an order on this Motion on an expedited basis.

DATED this 15th day of March 2018.

HATCH, JAMES & DODGE

/s/   
Phillip J. Russell  
Gary A. Dodge  
*Attorneys for US Magnesium*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by email this 15th day of March 2018 on the following:

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