

Gary A. Dodge (0897)
Phillip J. Russell (10445)
HATCH, JAMES & DODGE
10 West Broadway, Suite 400
Salt Lake City, UT 84101
Telephone: 801-363-6363
Facsimile: 801-363-6666
Email: gdodge@hjdllaw.com
prussell@hjdllaw.com

Attorneys for US Magnesium

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

n the Matter of the Request for Agency Action And Complaint of US Magnesium, LLC against Dominion Energy Utah	Docket No. 17-057-13
---	-----------------------------

US MAGNESIUM, LLC'S UNOPPOSED MOTION TO STRIKE HEARING DATE

US Magnesium, LLC ("US Mag") hereby submits this Motion to strike the hearing currently scheduled for April 19, 2018 at 10:00 a.m. Counsel for US Mag has spoken with counsel for Dominion Energy Utah ("DEU") and for the Division of Public Utilities ("Division") and can represent that neither DEU nor the Division opposes this Motion to strike the hearing. The basis for the requested relief is set forth below.

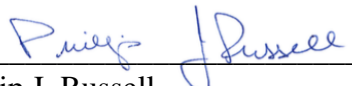
On March 12, 2018, the Public Service Commission of Utah ("Commission") issued its Order Granting Partial Summary Judgment ("Order") in this docket. As part of the Order, the Commission stated as follows: "We order both parties to provide the PSC at the time of the hearing with copies of their respective detailed phone records showing all calls and text messages made and received on January 6, 2017, the times of each call and text message, and the

duration of each call.” Order at 14. Despite its diligent efforts to comply with the Order, US Mag has recently learned that it cannot obtain certain of the detailed phone and text records without issuing a subpoena to the relevant wireless carriers. As such, US Mag has issued a subpoena to the AT&T Global Legal Demand Center seeking the detailed phone and text records of US Mag witness Roger Swenson on January 6, 2017. US Mag may be required to issue a similar subpoena to another wireless carrier to receive certain of the remaining records it has been ordered to produce. US Mag is unlikely to receive a full response to such subpoenas by the time of the currently-scheduled April 19, 2018 hearing. US Mag, therefore, does not believe that it will be able to provide the records the Commission has ordered it to provide at the hearing if the hearing is held on April 19.

As a result, US Mag requests that the Commission strike the current hearing date. US Mag will continue to work diligently to obtain the documents it has been ordered to produce to the Commission at the hearing. Once US Mag receives those documents, US Mag will confer with DEU, the Division, and the Commission on an appropriate date to re-schedule the hearing.

DATED this 13th day of April 2018.

HATCH, JAMES & DODGE

/s/ 
Phillip J. Russell
Attorneys for US Magnesium

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by email this 13th day of April 2018 on the following:

DOMINION ENERGY UTAH

Jenniffer Clark jenniffer.clark@dominionenergy.com
Cameron Sabin cameron.sabin@stoel.com

DIVISION OF PUBLIC UTILITIES

Chris Parker chrisparker@utah.gov
William Powell wpowell@utah.gov
Patricia Schmid pschmid@agutah.gov
Justin Jetter jjetter@agutah.gov
Erika Tedder etedder@utah.gov

OFFICE OF CONSUMER SERVICES

Michele Beck mbeck@utah.gov
Cheryl Murray cmurray@utah.gov
Steven Snarr stevensnarr@agutah.gov
Robert Moore rmoore@agutah.gov



/s/ _____
Phillip J. Russell
Attorneys for US Magnesium