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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

**IN THE MATTER OF PACIFIC ENERGY &
MINING COMPANY**

Docket No. 18-2602-01

**UTAH DIVISION OF PUBLIC UTILITIES'
RESPONSE TO PEMC'S AUGUST 10,
2018 MOTIONS TO REQUEST
RECONSIDERATION OF COMMISSION
ORDER DATED AUGUST 9, 2018 [AND]
REQUEST FOR HEARING; MOTION TO
EXTEND TIME TO FILE REPLY BRIEF;
REPLY TO DIVISION'S RESPONSE
DATED JUNE 20, 2018; REPLY TO
DIVISION'S RESPONSE DATED JUNE
20, 2018 – SUPPLEMENTAL BRIEF;
AND MOTION TO STAY PROCEEDINGS**

On August 10, 2018, Pacific Energy & Mining Company (PEMC) filed several motions and notices pertaining to this docket. Pursuant to Public Service Commission of Utah (Commission) rule R746-1-301, the Utah Division of Public Utilities (Division) hereby files its Response to Pacific Energy & Mining Company's (PEMC) motions identified above (Response).

The Division does not object if the Commission chooses to consider PEMC's "Reply to Division's Response Dated June 20, 2018" and its "Reply to Division's Response Dated June 20, 2018 – Supplemental Brief" when the Commission considers PEMC's "Motion to Request Reconsideration of Commission Order Dated August 9, 2018 [and] Request for Hearing," both filed August 10th.¹ The Division does not believe that a public hearing is necessary regarding PEMC's Motion to Dismiss for Lack of Jurisdiction but will comply with any Commission order. The Division continues to support a public hearing on the merits of this case.

The Division has been informed that Mr. Tariq Ahmad of PEMC is unavailable September 25, 2018, the hearing date scheduled by the Commission's August 9, 2018 order. The Division requests that the Commission vacate the scheduled hearing date. The Division intends to confer with PEMC's just retained counsel regarding scheduling and hopes to provide the Commission soon with mutually agreeable suggested hearing dates and a discovery cutoff date.

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¹ Amongst the pleadings PEMC filed August 10th, was one entitled "Pacific Energy & Mining Company's Motion to Extend Time to File Reply Brief." The Division is unsure what "Reply Brief" this motion is referencing.

By initiating this docket, the Division sought to remedy the public safety risk resulting from PEMC's inactions and seeks expeditious resolution to protect the public safety. The Division is seeking to remedy PEMC's noncompliance discovered in a 2016 audit – nearly two years in the past.

DATED this 20th day of August 2018.



Patricia E. Schmid
Attorney for the Utah Division
of Public Utilities

CERTIFICATE OF SERVICE

I certify that I caused a true and correct copy of the foregoing **UTAH DIVISION OF PUBLIC UTILITIES' RESPONSE TO PEMC'S AUGUST 10, 2018 MOTIONS TO REQUEST RECONSIDERATION OF COMMISSION ORDER DATED AUGUST 9, 2018 [AND] REQUEST FOR HEARING; MOTION TO EXTEND TIME TO FILE REPLY BRIEF; REPLY TO DIVISION'S RESPONSE DATED JUNE 20, 2018; REPLY TO DIVISION'S RESPONSE DATED JUNE 20, 2018 – SUPPLEMENTAL BRIEF, AND MOTION TO STAY PROCEEDINGS** to be served this 20 day of August 2018 by email and/or USPS mail, postage prepaid, to the following:

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