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BEFORE THE ELECTRICAL FACILITY REVIEW BOARD

<p>PACIFICORP, an Oregon corporation, Petitioner, v. THE CITY OF WEST JORDAN Respondent</p>	<p>MOTION TO HOLD PACIFICORP'S "EXCESS COST" TESTIMONY IN ABEYANCE Docket No. 05-999-08</p>
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Respondent, City of West Jordan, hereby moves the Electrical Facility Review Board ("Board") to hold in abeyance all of the pre-filed testimony on "excess cost" of PacifiCorp witnesses Carol Hunter and Darrell Gerrard until the second phase of this proceeding. West Jordan files this motion based on the agreement of the Board and the parties made during the September 12, 2005 scheduling conference to bifurcate this proceeding and not address excess costs in the initial hearing. As stated by the Board at the conference, the purpose for the initial hearing November 7, 2005 is to determine the

need for a substation in West Jordan and to consider the technical feasibility of alternative sites. Since the parties have no dispute over the need for a substation, the focus of the November 7, 2005 hearing will be PacifiCorp's preferred site on 3200 West and the technical feasibility of alternative sites.

In a second not-yet-scheduled hearing, the Board is to consider the issue of excess costs. This sequence makes sense because the Board cannot decide the issue of excess costs before a site is selected and West Jordan has an opportunity to determine if it must impose additional requirements to make the site acceptable. In addition, while the issue of excess costs is important, it does not affect the technical feasibility of a site.

Based on the foregoing, West Jordan moves the Board to hold PacifiCorp's testimony on excess cost in abeyance and not consider it until the second phase of this proceeding. That is how the Board structured this proceeding at the scheduling conference and it is on that basis that West Jordan has prepared.

Respectfully submitted this 2nd day of November, 2005.

Stephen F. Mecham

Certificate of Service

I certify that on November 2, 2005, I caused to be emailed or mailed postage the West Jordan City's Motion to Hold PacifiCorp's Excess Cost Testimony in Abeyance in Docket No. 05-999-08 to the following:

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