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Attorneys for Respondent

BEFORE THE ELECTRICAL FACILITY REVIEW BOARD

PACIFICORP, an Oregon corporation,	:	PETITION FOR STAY
	:	PENDING
Petitioner,	:	JUDICIAL REVIEW
	:	
vs.	:	
	:	
THE CITY OF WEST JORDAN,	:	
	:	Docket No. 05-999-08
Respondent.	:	
	:	

Respondent City of West Jordan hereby petitions the Board pursuant to Utah Code Ann.

§§ 54-14-307(2) and 63-46b-18 for a stay of its Order Designating Geographic Area issued on

November 28, 2005, pending the outcome of a petition for judicial review to the Utah Court of Appeals of the Board's Order.

The City filed a Petition for Review of the Board's Order on December 27, 2005, Appeal No. 20051159. The basis for the requested stay pending judicial review is the statutory requirement that the City issue permits within 60 days of the Board's decision for construction of the substation at issue. Utah Code Ann. § 54-14-306(2). The time required for even an expedited judicial review of the Board's decision by the Utah Court of Appeals will exceed the time within which the City would otherwise be required to issue the necessary permits, setting in motion actual construction of the substation. This would cause irreparable harm to the City and result in the City being deprived of any meaningful opportunity for judicial review of the Board's Order.

The City therefore respectfully requests that the Board stay its November 28, 2005, Order pending a decision by the Utah Court of Appeals.

DATED this _____ day of December, 2005.

WILLIAMS & HUNT

By _____
Jody K Burnett
Attorneys for Respondent
City of West Jordan

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