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NOTICE OF PROPOSED NEW RULE

09-R700-01

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Division of Administrative Rules.

Agency Information

1. Agency: Public Service Commission - Administration
 Room no.:
 Building: HEBER M WELLS BLDG
 Street address 1: 160 E 300 S
 Street address 2:
 City, state, zip: SALT LAKE CITY UT 84111-2316
 Mailing address 1: PO BOX 45585
 Mailing address 2:
 City, state, zip: SALT LAKE CITY UT 84111-5585

Contact person(s):

Name:	Phone:	Fax:	E-mail:
Sandy Mooy	801-530-6708	801-530-6796	smooy@utah.gov

(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no: 32866 Date filed: 07/30/2009 04:34
 State Admin Rule Filing Key: 148738
 Utah Admin. Code ref. (R no.): R 746 - 700 -

Title

2. Title:
 Complete Filings for General Rate Case and Major Plant Addition Applications

Notice Type

3. Type of notice: New Rule

Rule Purpose

4. Purpose of the rule or reason for the change :
 To describe the information to be filed in and with a general rate case application or alternative cost recovery for a major plant addition application for the filing to comply with the requirements of Utah Code Sections 54-7-12(2) and 54-7-13.4(2)

Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.
 No

Rule Summary

6. Summary of the rule change:

The rule provisions describe the various informational requirements that need to be met for a general rate case application to be considered a complete filing for Utah Code Section 54-7-12(2) and for an alternative cost recovery for a major plant addition application to be considered a complete filing for Utah Code Section 54-7-13.4(2)

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

No additional costs or savings are anticipated for the Commission or state agencies participating in Commission proceedings. The information, materials, data, etc. outlined in the proposed rule are the same that are developed, exchanged and analyzed by participants in these types of proceedings conducted by the Commission.

B) Local government:

Affected: No

None. The proposed rule does not affect local government activities.

C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

No additional costs or savings are anticipated for small business or other businesses participating in Commission proceedings. The information, materials, data, etc. outlined in the proposed rule are the same that are developed, exchanged and analyzed by participants in these types of proceedings conducted by the Commission.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

No additional costs or savings are anticipated for participants participating in Commission proceedings. The information, materials, data, etc. outlined in the proposed rule are the same that are developed, exchanged and analyzed by participants in these types of proceedings conducted by the Commission.

Compliance Cost Information

8. Compliance costs for affected persons:

No additional costs or savings are anticipated for any participant participating in Commission proceedings. The information, materials, data, etc. outlined in the proposed rule are the same that are developed and analyzed by public utilities in their preparations to file applications with the Commission. They are the same materials that are exchanged among participants and analyzed by participants in these types of proceedings conducted before the Commission.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

The proposed rule will have no fiscal impact upon affected business other than any that may have been anticipated by the Legislature in amending and enacting Utah Code Sections 54-7-12 and 54-7-13.4, which direct the Commission to promulgate rules outlining the informational requirements for these type of applications to be considered complete. The Commission developed the rule in consultation with participants from prior Commission proceedings to follow and incorporate the participants' practices relating to the information developed and exchanged among themselves and with the Commission in these types of proceedings.

B) Name and title of department head commenting on the fiscal impacts: Ted Boyer, Chairman

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.
State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :
54-7-12(1)(b)(ii)

54-7-13.4(1)(a)(ii)

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

Official Title of Materials Incorporated (from title page):
Publisher:
Date Issued:
Issue, or version:
ISBN Number:
ISSN Number:
Cost of Incorporated Reference:
Adds, updates, removes:

Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

- A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) : 09/15/2009
- B) A public hearing (optional) will be held:
On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):
- C) Public hearing(s) added after the publication of the rule in the Bulletin:
On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy): 09/23/2009
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):
complete filing
utility
major plant addition
application

File Information

15. Attach an RTF document containing the text of this rule change (filename):
There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and title:

Sandy Mooy

Date (mm/dd/yyyy): 07/30/2009