



1407 W North Temple, Suite 330  
Salt Lake City, Utah 84114

June 19, 2019

***VIA ELECTRONIC FILING***

Utah Public Service Commission  
Heber M. Wells Building, 4<sup>th</sup> Floor  
160 East 300 South  
Salt Lake City, UT 84114

Attention: Gary Widerburg, Commission Secretary

**RE: Docket No. 19-999-11** – Investigation into Potential Statutory Change to Utah  
Code Ann. § 54-7-15  
*Comments*

Pursuant to the Request for Comments issued May 6, 2019, by the Public Service Commission of Utah, PacifiCorp hereby submits its comments in the above referenced docket.

The Company respectfully requests that all formal correspondence and requests for additional information regarding this filing be addressed to the following:

By E-mail (preferred): [datarequest@pacificorp.com](mailto:datarequest@pacificorp.com)  
[utahdockets@pacificorp.com](mailto:utahdockets@pacificorp.com)  
[Jana.saba@pacificorp.com](mailto:Jana.saba@pacificorp.com)

By regular mail: Data Request Response Center  
PacifiCorp  
825 NE Multnomah, Suite 2000  
Portland, OR 97232

Informal inquiries may be directed to Jana Saba at (801) 220-2823.

Sincerely,

A handwritten signature in blue ink that reads "Joelle Steward".

Joelle Steward

Vice President, Regulation

Enclosures

R. Jeff Richards (#7294)  
Yvonne R. Hogle (#7550)  
1407 West North Temple, Suite 320  
Salt Lake City, Utah 84116  
Telephone No. (801) 220-4050  
Facsimile No. (801) 220-3299  
E-mail: [yvonne.hogle@pacificorp.com](mailto:yvonne.hogle@pacificorp.com)

*Attorneys for Rocky Mountain Power*

**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

	)	Docket No. 19-999-11
Investigation into Potential Statutory Change	)	
to Utah Code Ann. § 54-7-15	)	Rocky Mountain Power
	)	Comments

---

On May 6, 2019, the Public Service Commission of Utah (the “Commission”) issued a Request for Comments (“Request”) on potential statutory changes to Utah Code Ann. § 54-7-15 – Review or rehearing by commission – Application – Procedure – Prerequisite to court action – Effect of commission decisions (the “Request for Rehearing statute”). The Request for Rehearing statute sets forth the process parties must use before they seek judicial review of a Commission decision. Generally, the Request for Rehearing statute states that a petition for review or rehearing not granted by the Commission within 20 days is deemed denied. Thus if the Commission fails to render its decision on review or rehearing within 20 days, the order involved is affirmed.

The Commission solicited comments on whether to pursue changing the references to “20 days” in Subsections (2)(c) and (d) of the Request for Rehearing statute, to “30 days”. In accordance with the Request, Rocky Mountain Power (“Rocky Mountain Power” or the “Company”), states as follows.

1. Rocky Mountain Power is a division of PacifiCorp, an Oregon corporation, which provides electric service to retail customers through its Rocky Mountain Power division in the states of Utah, Wyoming, and Idaho, and through its Pacific Power division in the states of Oregon, California, and Washington.

2. Rocky Mountain Power is a public utility in the state of Utah and is subject to the Commission's jurisdiction with respect to its prices and terms of electric service to retail customers in Utah. Rocky Mountain Power's principal place of business in Utah is 1407 West North Temple, Suite 310, Salt Lake City, Utah 84116.

3. Communications regarding this filing should be addressed to:

Jana Saba  
Utah Regulatory Affairs Manager  
Rocky Mountain Power  
1407 West North Temple, Suite 330  
Salt Lake City, Utah 84116  
E-mail: [jana.saba@pacificorp.com](mailto:jana.saba@pacificorp.com)

Yvonne R. Hogle  
Assistant General Counsel  
Rocky Mountain Power  
1407 West North Temple, Suite 320  
Salt Lake City, Utah 84116  
E-mail: [yvonne.hogle@pacificorp.com](mailto:yvonne.hogle@pacificorp.com)

In addition, Rocky Mountain Power requests that all data requests regarding this pleading be sent in Microsoft Word or plain text format to the following:

By email (preferred): [datarequest@pacificorp.com](mailto:datarequest@pacificorp.com)

By regular mail: Data Request Response Center  
PacifiCorp  
825 NE Multnomah, Suite 2000  
Portland, Oregon 97232

Informal questions may be directed to Jana Saba, Utah Regulatory Affairs Manager, at (801) 220-2823.

4. Any party in a case may respond to a petition for review or rehearing within 15 days pursuant to Utah Code Ann. § 63G-4-301(2)(a), within the context of § 54-7-15. Under the Request for Rehearing statute, the Commission would have five days to review the pleadings, make a decision and issue a written order either granting or denying the petition, or allow the 20 days to pass without issuing an order, effectively denying the petition.

5. In circumstances where a party files its response in the middle of the week, the weekend would count toward the 20 days, and the Commission may not have adequate time to write its order. It would be particularly challenging to write an order expeditiously if the subject case involves complex issues and the Commission desires to issue a well-reasoned order either explaining its decision to deny the petition or granting any part or all of the petition.


6. Assuming the Commission does not intend to effectively deny a petition by not issuing a written order, the Commission would benefit from having additional time to issue a written order. In addition, the Company believes that no party would be harmed by providing the Commission additional time to make its decision and issue a written order granting or denying the petition, or effectively deny the petition by allowing the 30 days to pass.

WHEREFORE and based on the foregoing, Rocky Mountain Power supports the proposed statutory changes to “30 days” from “20 days” under Subsections (2)(c) and (d) of the Request for Rehearing statute.

Dated this 19<sup>th</sup> day of June, 2019.

RESPECTFULLY SUBMITTED

ROCKY MOUNTAIN POWER

  
Yvonne R. Hogle  
*Attorney for Rocky Mountain Power*

**CERTIFICATE OF SERVICE**

Docket No. 19-999-11

I hereby certify that on June 19, 2019, a true and correct copy of the foregoing was served by electronic mail to the following:

**Utah Office of Consumer Services**

Cheryl Murray [cmurray@utah.gov](mailto:cmurray@utah.gov)

Michele Beck [mbeck@utah.gov](mailto:mbeck@utah.gov)

**Division of Public Utilities**

[dpudatarequest@utah.gov](mailto:dpudatarequest@utah.gov)

**Assistant Attorney General**

Patricia Schmid [pschmid@agutah.gov](mailto:pschmid@agutah.gov)

Justin Jetter [jjetter@agutah.gov](mailto:jjetter@agutah.gov)

Robert Moore [rmoore@agutah.gov](mailto:rmoore@agutah.gov)

Steven Snarr [stevensnarr@agutah.gov](mailto:stevensnarr@agutah.gov)

**Rocky Mountain Power**

Data Request Response [datarequest@pacificorp.com](mailto:datarequest@pacificorp.com)

Center

Jana Saba [jana.saba@pacificorp.com](mailto:jana.saba@pacificorp.com);  
[utahdockets@pacificorp.com](mailto:utahdockets@pacificorp.com)

Yvonne Hogle [yvonne.hogle@pacificorp.com](mailto:yvonne.hogle@pacificorp.com)



Katie Savarin  
Coordinator, Regulatory Operations