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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

**INVESTIGATION INTO POTENTIAL  
STATUTORY CHANGE TO UTAH CODE  
ANN. § 54-7-15**

**Docket No. 19-999-11**

**COMMENTS FROM THE UTAH  
DIVISION OF PUBLIC UTILITIES**

On May 6, 2019, the Public Service Commission of Utah (Commission) issued a “Request for Comments” regarding whether the Commission should seek a potential change in Utah Code Ann. § 54-7-15 (Request). The potential change would revise the “20 days” references in Subsections (2)(c) and (d) to “30 days.” The Division of Public Utilities (Division) submits these comments in response to the Commission’s Request.

The Division supports a Commission proposal to seek a legislative change to Utah Code Ann. § 54-7-15(2)(c) and (d) that would increase the time period in which the Commission must issue an order granting or denying an application for review or rehearing from “20 days” to “30 days.” As noted in the Commission’s May 6, 2019 Request for Comments Utah Code Ann.

§ 54-7-15(2)(c) provides that an application for review or rehearing is denied if not granted within 20 days. The Division agrees that the 20 day time period may be insufficient in some cases to provide the Commission enough time to evaluate the filings. This may be especially true in some of the Commission's dockets that involve complex questions of law and fact along with decisions of public policy.

In addition, a longer time period does not mean that the Commission must take 30 days to issue its order. If the Commission determines that a shorter period is sufficient, it can issue an order before 30 days elapse.

The possibility that the Commission may take 30 days instead of 20 days to issue an order that is ripe for judicial review should not prejudice or adversely affect parties seeking that relief. Appeals of Commission orders often take months, and sometimes years, to be completed. Amending Utah Code Ann. § 54-7-15(2)(c) and (d) to allow the Commission an extra 10 days would not be harmful but instead could be beneficial to the appellate process.

In conclusion, the Division supports the Commission seeking a statutory change allowing it 30 days instead of 20 days in Utah Code Ann. § 54-7-15(2)(c) and (d) for review of requests for review or rehearing.

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



Patricia E. Schmid  
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of Public Utilities

CERTIFICATE OF SERVICE

I certify that I caused a true and correct copy of the foregoing Comments from the Utah Division of Public Utilities to be served this 19<sup>th</sup> day of June 2019, by email and/or USPS mail, postage prepaid, to the following:

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