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*Attorneys for the Utah Association of  
Energy Users*

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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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Investigation into Potential Statutory Change to Utah Code Ann. § 54-7-15	Docket No. 19-999-11
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**UAE COMMENTS**

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Pursuant to the Commission’s May 6, 2019 Request for Comments, the Utah Association of Energy Users (“UAE”) files the following Comments regarding the investigation initiated by the Public Service Commission of Utah (“Commission”) regarding whether to pursue a potential change to Utah Code Ann. § 54-7-15 during the Utah Legislature’s 2020 General Session. UAE represents large Utah electric and gas consumers whose legal rights and interests are often at issue in Commission proceedings. UAE intervenes in Commission dockets on a regular basis to protect those rights and interests and, upon occasion, seeks judicial review of Commission decisions. In response to the Commission’s Request for Comments, UAE states as follows:

Utah Code § 54-7-15 states that any party seeking judicial review of a Commission decision must first submit an application to the Commission for a rehearing of the Commission’s decision. Pursuant to Subsections (2)(c) and (d) of the statute, any such application not granted


by the Commission within 20 days of filing is deemed denied and the underlying order is deemed affirmed. As the Commission notes in its Request for Comments, this 20-day requirement—coupled with Utah Code § 63G-4-302(2)(a), which provides parties 15 days to respond to an application for rehearing—often leaves the Commission little time to review the application and response, deliberate, and issue a ruling thereon.

If the Commission believes that its deliberative process would benefit from the additional time to issue a ruling in response to an application for rehearing, then UAE supports the proposed statutory change to provide the Commission with that additional time. UAE understands that the purpose of the 20-day timeline currently set forth in the statute is to ensure that a party seeking judicial review from a Commission order may do so without undue delay. UAE believes that in most cases the addition of 10 days to the Commission’s time to issue a ruling on an application for rehearing will not make a material difference to the rights of the parties. If the statutory timeframe for the Commission to issue a ruling on an application for rehearing materially affects any party’s rights—whether the deadline is the current 20 days or the contemplated 30 days—UAE hopes that the Commission would be willing to issue a ruling prior to the deadline so that a party’s rights may be preserved.

For the foregoing reasons, should the Commission choose to pursue the contemplated statutory change to Utah Code § 15-7-15(2)(c) and (d), UAE would support that choice.

DATED this 19th day of June 2019.

Respectfully submitted

By:   
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**Certificate of Service**  
Docket No. 19-999-11

I hereby certify that a true and correct copy of the foregoing was served by email this 19th day of June 2019, on the following:

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