

**BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING**

IN THE MATTER OF THE APPLICATION OF )  
ROCKY MOUNTAIN POWER FOR A ) DOCKET NO. 20000-545-ET-18  
MODIFICATION OF AVOIDED COST ) (RECORD NO. 15133)  
METHODOLOGY AND REDUCED )  
CONTRACT TERM OF PURPA POWER )  
PURCHASE AGREEMENTS )

**SCHEDULING ORDER  
(Issued February 19, 2019)**

This matter is before the Wyoming Public Service Commission (Commission) upon its own motion, to establish a procedural schedule for the proceedings in the above-docketed matter.

The Commission, having reviewed its files in this matter, the parties' positions and comments at the scheduling conference, and being otherwise fully advised in the premises, FINDS AND CONCLUDES:

1. A duly noticed scheduling conference was held on January 25, 2019. Participating in person were Steve Mink, James Branscomb and Daney Brauchie, on behalf of the Commission Staff (Staff). For Rocky Mountain Power (RMP) Jacob McDermott, Counsel, appeared by telephone, with Stacy Splittstoesser, Wyoming Regulatory Affairs Manager, appearing in person. Abigail C. Briggerman, Counsel, appeared by telephone for Wyoming Industrial Energy Consumers (WIEC), VK Clean Energy Partners, LLC (VK Clean Energy), and Two Rivers Wind, LLC (Two Rivers). Ronnie Lopez, Counsel, appeared in person, with Dale Cottam, Counsel and Iron Sanger, Counsel, appearing by telephone, for Renewable Energy Coalition (REC). Ronnie Lopez, Counsel, appeared in person, with Dale Cottam, Counsel, and Phillip Russell, Counsel, appearing by telephone for Rocky Mountain Coalition for Renewable Energy (RMCRE). Crystal McDonough, Counsel, appeared by telephone for Northern Laramie Range Alliance (NLRA). Christopher Leger, Counsel, appeared in person for the Wyoming Office of Consumer Advocate (OCA).

2. The Commission recently has undertaken an upgrade to its hearing room to accommodate the display of electronic documents to aid in the increased convenience during hearings. The Commission would like to utilize the electronic hearing room upgrades during the instant proceeding, which will require the Parties to submit electronic exhibit hearing books along with other attendant changes. Accordingly, this Scheduling Order is issued to described and clarify the document filing and exhibit submittal processes.

**SCHEDULE DEADLINES**

3. The following procedural schedule, agreed upon by the parties at the scheduling conference, is accordingly set (all times are Mountain Time):

Deadline for Intervenors to complete discovery on Applicant testimony. <i>All responses are due within 10 calendar days of receipt.</i>	April 2, 2019
Deadline for Intervenors to pre-file direct testimony.	April 19, 2019, by 3:00 p.m.
Deadline for all parties to complete discovery on Intervenors' pre-filed direct testimony. <i>All responses are due within 7 calendar days of receipt.</i>	May 3, 2019
Deadline for all parties to file rebuttal testimony and for Intervenors to file cross-answer testimony.	May 24, 2019, by 3:00 p.m.
Deadline to complete all discovery. <i>All responses are due within 7 calendar days of receipt. (See paragraph 6)</i>	June 5, 2019
Deadline for all parties to exchange exhibits.	June 12, 2019
Deadline for parties to file any pre-hearing reports, pre-hearing motions, any objections to pre-filed testimony and exhibits. <i>(See paragraph 7.)</i> Deadline to submit exhibits and exhibit index <i>(See paragraphs 4 and 5.)</i>	June 18, 2019, by 3:00 p.m.
Pre-hearing Conference <i>(See paragraph 7)</i>	June 25, 2019 at 10:00 a.m.
Exhibit Conference	July 9, 2019 at 8:30 a.m.
Public Hearing (3 days)	July 9, 2019 at 9:00 a.m.

#### **FILING DOCUMENTS WITH COMMISSION**

4. All pre-filed direct, rebuttal and cross-answer testimony, and pre-hearing documents (including the exhibit index) are to be filed with the Commission on paper and electronically on the Commission's Docket Management System (DMS) website at <http://dms.wyo.gov>. All filings shall also be served on all parties on or before the deadline dates. Such filings and all attachments shall be uploaded in "searchable .pdf" format. If you are not clear on this process, contact the Commission's IT staff for assistance at 307-777-7427. All pre-filed, rebuttal and cross-answer testimony shall be sworn and notarized.

#### **INSTRUCTIONS FOR FORMAT AND SUBMISSION OF EXHIBITS**

5. Exhibit indexes shall set forth the proper numbering of exhibits, consistent with the party's presentation of witnesses. The exhibit indexes shall refer to numbered, labeled and page numbered exhibits the party intends to offer into the record. On June 18, 2019, the parties shall submit 5 bound copies of their exhibits, exhibit index, together with electronic versions, as follows:

a) Exhibits shall be individually tabbed and bound in a three ring binder. The binder shall NOT exceed 3 inches in width and all page in the binder shall turn freely.

b) Exhibit tabs shall only identify the exhibit number. For purposes of exhibit labeling, the following numbering system shall be used:

<b>Party</b>	<b>Numbers</b>
Rocky Mountain Power*	1-99



Commission (Not a Party)	100-199
OCA	200-299
WIEC	300-399
VK Clean Energy	400-499
Two Rivers	500-599
REC	600-699
RMCRE	700-799
NLRA	800-99
Joint Party Exhibits**	A-Z

\*Rocky Mountain Power shall include their “Application” filed on November 2, 2018, as Exhibit 1. The Applicant shall number all Sections attached to the Application as separate exhibits.

\*\* In the event the parties reach a stipulation and agreement, the stipulation shall be marked as Joint Exhibit A with stipulation testimony of the parties to follow as Joint Exhibits B, C, D, etc.

c) If more than one binder is required, each binder shall be separately identified as Vol. I, Vol. II, Exhibits 26-38; etc., and shall show which exhibits are included therein.

d) All binders shall include a binder cover sheet and spine label (if the binder includes confidential material please print the cover sheet, label, and all confidential materials on yellow paper).

e) Each exhibit shall be individually page numbered with exhibit numbers located on the upper right hand corner of the first page of each exhibit and all page numbering located at the bottom, right hand corner of each page.

f) Electronic copies of exhibits and the exhibit index shall be submitted on portable media to the Commission in PDF format, using the spreadsheet in Attachment 1 and the instructions in Attachment 2 of this order. Exhibits containing confidential information shall be highlighted in yellow.

g) Each party shall provide a copy of its respective exhibit schedules and a package containing all exhibits to be submitted to the Court Reporter when the Hearing Officer accepts the exhibits into the record at the Exhibit Conference on July 9, 2019.

6. All discovery shall be completed prior to the date of the pre-hearing conference. To the extent possible, parties should resolve discovery disputes among themselves. Failing in this, the parties shall bring disputed discovery matters immediately to the attention of the Commission as pleadings with any documentation reflecting the dispute. The moving party in any such discovery dispute must certify that it has in good faith conferred or attempted to confer with the party not making the disclosure in an effort to secure the disclosure without Commission action. The Commission waives any restriction on the number of discovery requests, but the parties retain the right to object if abuse of this waiver occurs. The parties are directed to be prepared to address the themes and topics mentioned in the public comments and customer complaints, if any, in pre-

filed testimony and/or the public comment or full evidentiary hearings.

### PRE-HEARING CONFERENCE

7. Prior to the Pre-Hearing Conference scheduled on June 25, 2019 at 10:00 a.m., the parties shall confer regarding stipulations to uncontroverted facts and the use of joint exhibits to avoid unnecessary duplication. At the Pre-Hearing Conference, each party, shall have thoroughly reviewed all proposed exhibits of the other parties and be prepared to acknowledge the specific exhibits to which they intend to object to and the specific exhibits to which they will stipulate to admission. By June 18, 2019, each party shall file with the Commission the following described pre-hearing report documents. ***The parties shall segregate the required information into separate documents:***

a) A current summary of the contention of the party entitled “(Party name) *Updated Summary of Contentions.*”

b) A summary of remaining issues of fact and law for determination by the Commission.

c) For each witness who will testify to matters not included in pre-filed testimony, a brief summary of the witness’s proposed testimony which specifies the issue(s) to which the testimony will be directed together with an estimation of the length of time it will take to present the party’s case.

d) A single, stipulated (by all parties) current summary of the uncontroverted and stipulated facts entitled, “Stipulated Summary of Uncontroverted Facts.” This item is to be filed jointly by all the parties rather than individually.

8. Parties not able to attend the Pre-Hearing Conference in person may participate by phone by dialing the Commission’s conference call phone number at 1-877-735-7186. Parties appearing by telephone are asked to contact Angie Elliott prior to the Pre-Hearing Conference at (307) 777-5716 or [angela.elliott@wyo.gov](mailto:angela.elliott@wyo.gov) to advise the Commission that they will be participating by phone or in person.

### MISCELLANEOUS

9. No late-filed documents will be accepted for filing by the Commission without an accompanying motion for good cause shown by the party missing any deadline set forth in paragraph 3 above.

10. Any party that wishes to cease participation in this proceeding shall file a *Petition for Leave to Withdraw*, which shall include a statement or explanation describing the effect, if any, on the public interest and the orderly and efficient conduct of the proceeding of such party’s withdrawal. Parties shall be permitted to withdraw only upon a showing that no material detriment to the public interest or the orderly and efficient conduct of the proceeding is likely to result therefrom.

11. Each party shall file a proposed order, with findings of fact and conclusions of law within 10 business days of the rendering of a decision in this matter.

12. The public hearing regarding the above captioned matter will commence on July 9, 2019, at 9:00 a.m., at the Commission's offices located at 2515 Warren Avenue, Suite 300, in Cheyenne, Wyoming.

13. This *Order* is effective immediately.

MADE and ENTERED at Cheyenne, Wyoming, on February 19, 2019.

BY ORDER OF THE COMMISSION

  
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STEVE MINK, Assistant Secretary  
Wyoming Public Service Commission  
2515 Warren Avenue, Suite 300  
Cheyenne, Wyoming 82002

