

**BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING**

IN THE MATTER OF THE APPLICATION OF )	
CHEYENNE LIGHT, FUEL AND POWER )	DOCKET NO. 20003-142-ET-14
COMPANY FOR AUTHORITY TO REVISE ITS )	(RECORD NO. 14016)
POWER COST ADJUSTMENT TARIFF )	

**AMENDED SCHEDULING ORDER**

(Issued February 26, 2015)

This matter is before the Wyoming Public Service Commission (Commission) upon the *Joint Unopposed Motion to Postpone Deadlines (Joint Motion)* of Cheyenne Light, Fuel and Power Company (Cheyenne Light or the Company), Frontier Refining LLC (Frontier), and Dyno Nobel, Inc. (Dyno Nobel) to amend the procedural schedule for the proceedings in the above-docketed matter.

The Commission, having reviewed its files in this matter, the parties' comments at the scheduling conference, the *Joint Motion*, arguments of counsel, and being otherwise fully advised in the premises, FINDS AND CONCLUDES:

1. A duly noticed scheduling conference was held on January 6, 2015. Participating in person were Lori Brand, John Burbridge, Marci Norby, Don Biedermann, Dave Walker, and Luy Luong on behalf of the Commission Staff (Staff); Lee Magnuson and Todd Brink participated by telephone on behalf of Cheyenne Light, Fuel and Power Company (Cheyenne Light or the Company); Ron Lopez participated in person with Dale Cottam appearing by telephone on behalf of Frontier Refining LLC; Rick Thompson participated in person on behalf of Dyno Nobel, Inc.; and Chris Leger participated in person on behalf of the Office of Consumer Advocate (OCA). On January 13, 2015, the Commission issued its *Scheduling Order* reflecting the procedural schedule agreed upon by the parties at the scheduling conference.

2. The *Joint Motion* came before the Commission for consideration pursuant to due notice at its open meeting of February 24, 2015. Lee Magnuson and Amy Koenig participated by telephone on behalf of Cheyenne Light; Ron Lopez participated in person on behalf of Frontier; Rick Thompson participated in person on behalf of Dyno Nobel; and Chris Leger participated in person on behalf of the Office of Consumer Advocate (OCA). The Parties explained the *Joint Motion* and indicated that they were working on a *Stipulation and Agreement* which would be filed as soon as completed. They requested the Commission postpone the deadlines in its *Scheduling Order* in this case, as well as extend its *Order* directing Cheyenne Light to file a general rate case by March 1, 2015 to April 15, 2015, if the Parties are unable to resolve the remaining issues in this PCAR application docket.<sup>1</sup> Commission Advisory Staff recommended approval of the *Joint Motion*.

3. Accordingly, the following amended procedural schedule is set for all remaining future dates (all times are Mountain Time):

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<sup>1</sup> See the Commission's *Notice and Order Approving Rates on an Interim Basis* Ordering ¶ 3 (issued January 22, 2015).

Deadline for all parties to exchange ALL exhibits	March 2, 2015, by 5:00 p.m.
Deadline to file ALL exhibits, and exhibit index ( <i>see paragraphs 3 and 5</i> )	March 9, 2015, by 3:00 p.m.
Deadline to file summary of contentions, summary of remaining issues of fact and law, witness testimony summary, and summary of uncontroverted and stipulated facts	March 9, 2015 by 3:00 p.m.
Pre-Hearing Conference ( <i>see paragraph 5</i> )	March 12, 2015, at 10:00 a.m.
Exhibit Conference	March 19, 2015, at 1:00 p.m.
Public Hearing (1.5 days) with potential for continuation to March 23, 2015	March 19, 2015, at 1:30 p.m.

4. All pre-filed direct, rebuttal and cross-answer testimony, exhibits, exhibit indexes, and pre-hearing documents are to be filed concurrently with the Commission and served on all parties on or before the deadline dates. All pre-filed, rebuttal and cross-answer testimony shall be sworn and notarized. 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 bates stamped exhibits the party intends to offer into the record, including all pre-filed testimonies and exhibits that will be adopted by testifying witnesses. On March 9, 2015, the parties shall file 7 bound copies of their exhibits and exhibit index, together with an electronic version, as follows:

- a) individually tabbed, consecutively bates stamped, and bound in a three ring binder (which shall not exceed 4 inches in width);
- b) all bates stamping will be located at the bottom, right hand corner of each document;
- c) if more than one binder is required, each binder shall be separately identified as Vol. I, Vol. II, etc., and shall show which exhibits are included therein;
- d) all binders shall include a binder cover sheet and spine label;
- e) see the following examples for formatting exhibit tabs:

Applicant Company  
Exhibit 1 - Map

Applicant Company  
Vol. I, Exhibit 1

Applicant Company  
Vol. II, Exhibit 12

Applicant shall include its "Application" filed on October 31, 2014, as Exhibit 1. All Sections attached to the Application shall be numbered by Applicant as separate exhibits. **Each party shall provide an additional copy of its exhibit index and binder(s) containing all exhibits to the Court Reporter when the Hearing Officer accepts the exhibits into the record at the Exhibit Conference on March 19, 2015, at 1:00 p.m.**

For purposes of exhibit labeling, the following numbering system shall be used:

Party	Numbers
Cheyenne Light	1-99
Commission	100-199
OCA	200-299
Dyno Nobel	300-399
Frontier Refining	400-499
Joint Party Exhibits	A-Z

5. 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.

6. Prior to the Pre-Hearing Conference, the parties shall confer regarding stipulations to uncontroverted facts and the use of joint exhibits to avoid unnecessary duplication. Prior to 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 3:00 p.m., on March 9, 2015, 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.

7. 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 2 above.

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 1-877-278-2734 (PIN No.

217033). Parties appearing by telephone are asked to call Meridith Bell prior to the Pre-Hearing Conference at (307) 777-5718 to advise the Commission that they will be participating by phone or in person.

9. 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.

10. The public hearing regarding the above captioned matter will commence March 19, 2015, at 1:30 p.m., at the Commission's offices located at 2515 Warren Avenue, Suite 300, in Cheyenne, Wyoming.

11. This *Amended Scheduling Order* is effective immediately.

MADE and ENTERED at Cheyenne, Wyoming, on February 26, 2015.

BY ORDER OF THE COMMISSION:



LORI L. BRAND, Assistant Secretary  
Wyoming Public Service Commission  
2515 Warren Avenue, Suite 300  
Cheyenne, WY 82002

