

Decision 99-05-023 May 13, 1999

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of PacifiCorp for a limited exemption from affiliate transaction rules.

Application 98-02-002  
(Filed February 3, 1998)

**OPINION GRANTING MOTION TO DISMISS**

On March 30, 1999, PacifiCorp filed a motion to withdraw this application. In essence, PacifiCorp seeks to have this matter dismissed without prejudice, and we treat this motion as such. The motion is unopposed. The motion is granted.

PacifiCorp explains that at a prehearing conference, all parties agreed that it would be inefficient to process this application because PacifiCorp states that it was involved in bid negotiations regarding the sale of its California distribution facilities. PacifiCorp states that because of the delays encountered in the sale, the Commission may now face problems in meeting the time limits to process this application. Therefore, PacifiCorp made this motion and sought authorization for withdrawal of its application after the Commission has received and assigned a docket to PacifiCorp's new filing seeking a limited exemption from the affiliate transaction rules. The Commission docketed this new application in March 1999.

An Assigned Commissioner's Ruling and Scoping Memo dated August 5, 1998, found that there were no hearings necessary in this application, and that, pursuant to Rule 6.6, Article 2.5 of the Rules of Practice and Procedure no longer applies to this proceeding. We confirm this ruling.

This is an uncontested resolution of this matter in which the decision grants the relief requested. Accordingly, pursuant to Pub. Util. Code § 311(g)(2),

the otherwise applicable 30-day period for public review and comment is waived.

**O R D E R**

**IT IS ORDERED** that:

1. PacifiCorp's motion to dismiss the application without prejudice is granted.
2. Pursuant to Rule 6.6 of the Rules of Practice and Procedure, Article 2.5 of the Rules of Practice and Procedure no longer applies to this proceeding.
3. Application 98-02-002 is closed.

This order is effective today.

Dated May 13, 1999, at San Francisco, California.

RICHARD A. BILAS  
President  
HENRY M. DUQUE  
JOSIAH L. NEEPER  
Commissioners