

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER REDFORD  
COMMISSIONER SMITH  
COMMISSION SECRETARY  
COMMISSION STAFF

**FROM:** DON HOWELL  
DEPUTY ATTORNEY GENERAL

**DATE:** JULY 28, 2011

**SUBJECT:** SCHEDULING ORDER FOR THE IDAHO POWER RATE CASE,  
CASE NO. IPC-E-11-08

On July 20, 2011, Commission Staff convened an informal scheduling conference in the Idaho Power rate case for the parties to discuss a proposed schedule and other proceeding issues. The parties participating in the conference included: Idaho Power, Staff, Industrial Customers of Idaho Power, U.S. Department of Energy, Community Action Partnership Association of Idaho, Micron, Idaho Conservation League, and Snake River Alliance.

1. The Proposed Schedule. Based upon the discussion among the participants, the parties propose the following schedule for the rate case:

DATE	ACTIVITY
August 31, 2011	Settlement conference
September 8, 2011	Continued settlement (if necessary)
October 7, 2011	Staff/Intervenor prefile direct testimony
October 25, 2011	Deadline for discovery requests
November 16, 2011	Rebuttal prefile testimony (all parties)
December 6-8, 2011	Technical Hearing
December 28, 2011	Target date for issuing final Order (effective January 1, 2012)

The parties did not discuss proposed dates for Staff's public workshop or public hearing.

2. Discovery. The parties agreed to serve discovery among themselves by attaching the discovery to an e-mail. In the event that a discovery response includes multiple attachments or workpapers (or exceeds 10 megabits), then the responding party may provide the attachments on a CD. With the

exception of confidential materials, parties will not provide one another with printed copies of discovery requests and responses. Parties will provide the Commission Secretary with an original and one printed copy and three CDs of attachments.

3. Testimony. The parties agreed to serve to other parties with testimony in the form of attachments to e-mails. For purposes of serving the Commission Secretary, the parties also agreed to supply an original and 10 paper copies of testimony. One of the 10 copies is reserved for the court reporter. The court reporter's copy should be unbound, unpunched and on plain paper.

4. Motions for Limited Admission. Two parties filed Motions for Limited Admission Pro Hac Vice so that their out-of-state counsel could appear before the Commission. In accordance with Procedural Rule 43, Kroger's local counsel filed a Motion on June 21, 2011, requesting that Kurt J. Boehm of the firm Boehm, Kurtz & Lowry be permitted to represent Kroger. IDAPA 31.01.01.043. Likewise, Micron's local counsel filed Motions for Limited Admission on July 5 and 20, 2011, requesting the admission of Mark A. Davidson, Thorvald A. Nelson, and Frederick J. Schmidt all of the firm Holland & Hart.

4. Late Petition for Intervention. On July 25, 2011, the NW Energy Coalition filed a petition for late intervention in this case. The Coalition notes that it has 11 organizational members located in Idaho and represents more than 100,000 citizens. The Coalition's primary purpose is to promote an energy future that is clean, reliable, affordable, and equitable. Petition at 1. The Coalition asserts that it has a direct and substantial interest in several issues in this case including the fixed-cost recovery mechanism and demand response incentives. *Id.* at 1-2.

The Coalition acknowledges that its intervention was untimely but occurred because of a death in the family and an extended absence from the office. The Coalition indicates that it had no interest in delaying the proceedings through its late intervention. *Id.* at 2. In addition, the Coalition indicated that it can conform to the schedule set out above. Idaho Power does not object to the late intervention.

#### COMMISSION DECISION

Given the agreement of the parties, does the Commission adopt the schedule for processing this case as set out above? Does the Commission grant the Motions for Limited Admission? Does the Commission grant late intervention to NW Energy Coalition?

  
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Don Howell  
Deputy Attorney General

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