

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF IDAHO POWER ) CASE NO. IPC-E-20-25**  
**COMPANY’S APPLICATION FOR AN )**  
**ORDER APPROVING THE TRANSFER OF ) NOTICE OF APPLICATION**  
**CERTAIN ASSETS ASSOCIATED WITH )**  
**THE HEMINGWAY SUBSTATION ) NOTICE OF**  
**) MODIFIED PROCEDURE**  
**)**  
**) NOTICE OF TELEPHONIC**  
**) HEARING**  
**)**  
**) ORDER NO. 34721**

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On June 3, 2020, Idaho Power Company (“Company”) applied to the Commission for an order approving the Company’s transfer of a 1.91-acre parcel of land in Owyhee County, Idaho (the “Parcel”) to Owyhee County (the “County”). The Company submitted its Application pursuant to *Idaho Code* § 61-328 and requested its Application be processed by Modified Procedure.

The Commission now issues this Notice of Application, Notice of Modified Procedure, and Notice of Telephonic Hearing.

**BACKGROUND**

In 2008, the Company purchased 150 acres of land near Melba, Idaho that would later become the site of the Hemingway Substation (“Substation”). The Company constructed a new, unpaved access road on a portion of the 150 acres to provide access from Highway 78 to the Substation. The Company’s access road travels parallel to and partly crosses the Wilson Cemetery Road. Ever since the Company’s access road was constructed, visitors of the Wilson Cemetery and adjacent property owners have been using the Company’s road rather than the existing Wilson Cemetery Road. The Wilson Cemetery Road is now overgrown and impassable.

In July 2019, the County denied a building permit for one resident along the south of Wilson Cemetery Road because the resident could not prove public access to their property. The County would not grant a waiver or variance upon request. On February 14, 2020, to re-establish legal access for the landowners south of Wilson Cemetery Road, the Company executed and

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recorded a deed conveying the Parcel to the County subject to an easement reserving access for the Company.

### **NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that the Company must obtain approval of the Commission before it sells or transfers ownership of any property located in Idaho used in the generation, transmission, or distribution of electricity in Idaho. *Idaho Code* § 61-328(1). The Company's Application states the transfer of the Parcel meets the requirements of *Idaho Code* § 61-328(3).

YOU ARE FURTHER NOTIFIED that the Application states the original cost of the Parcel was \$26,488, but its book value with improvements at the time of transfer was \$41,394. The Company conveyed the Parcel to the County for ten dollars.

YOU ARE FURTHER NOTIFIED that the Company will maintain access to the Substation via an easement described in the deed. *See* Attachment 2. The Company will no longer have to maintain the Parcel.

YOU ARE FURTHER NOTIFIED that the Application, Attachments, and Exhibits are available for public inspection during regular business hours at the Commission's office. The Application is also available on the Commission's web site at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click on the "ELECTRIC" tab at the top of the home page, then select "Open Cases" and then locate and click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code. The Commission may enter any final order consistent with its authority under Title 61.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

### **NOTICE OF MODIFIED PROCEDURE**

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter, and that it will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

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YOU ARE FURTHER NOTIFIED that anyone desiring to state a position on this Application must file a written comment in support or opposition with the Commission **by August 25, 2020**. The comment must explain why the person supports or opposes the Application. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be sent electronically, unless email is not available, to the Commission and the Company at the email addresses reflected below:

**For the Idaho PUC:**

Commission Secretary  
Idaho Public Utilities Commission  
P.O. Box 83720  
Boise, ID 83720-0074  
[secretary@puc.idaho.gov](mailto:secretary@puc.idaho.gov)

**For Idaho Power:**

Lisa D. Nordstrom  
Matt Larkin  
1221 West Idaho St (83702)  
P.O. Box 70  
Boise, ID 83707  
[lnordstrom@idahopower.com](mailto:lnordstrom@idahopower.com)  
[mlarkin@idahopower.com](mailto:mlarkin@idahopower.com)  
[dockets@idahopower.com](mailto:dockets@idahopower.com)

Comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via email may do so by accessing the Commission's home page located at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Consumers" tab then click the "Case Comment Form" and complete the comment form using the case number as it appears on the front of this document.

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **by September 1, 2020**.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

**NOTICE OF TELEPHONIC PUBLIC HEARING**

YOU ARE FURTHER NOTIFIED that the Commission's Rules of Modified Procedure contemplate that a case will be processed by written submissions without the need for a public hearing. However, the Commission finds good cause to schedule a public hearing in this

case because the Company filed its Application seeking approval of an asset transfer under *Idaho Code* § 61-328, and that statute requires a public hearing.

YOU ARE FURTHER NOTIFIED that the Commission will conduct a public telephonic customer hearing in this matter on **TUESDAY August 4, 2020 AT 2:00 P.M. MST.** The purpose of the public hearing is to take testimony from members of the public and the Company's customers. To participate, interested persons can call **1-800-920-7487** shortly before or at the designated time, and enter the **passcode 6674832#** when prompted.

YOU ARE FURTHER NOTIFIED that the telephonic hearing will meet accessibility requirements of the Americans with Disabilities Act. Persons needing the help of a sign language interpreter or other assistance in order to participate in or to understand testimony at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION  
P.O. BOX 83720  
BOISE, IDAHO 83720-0074  
(208) 334-0338 (Telephone)  
(208) 334-3762 (FAX)  
[secretary@puc.idaho.gov](mailto:secretary@puc.idaho.gov)

### **ORDER**


IT IS HEREBY ORDERED that a telephonic public hearing be held in this case on **TUESDAY August 4, 2020 at 2:00 P.M. MST.**

IT IS FURTHER ORDERED that the Company's Application be processed by Modified Procedure, Rule 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so by August 25, 2020. The Company must file any reply comments by September 1, 2020.

IT IS FURTHER ORDERED that parties continue to comply with Order No. 34602, issued March 17, 2020. All pleadings should be filed with the Commission electronically and shall be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should also be accomplished electronically. Voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

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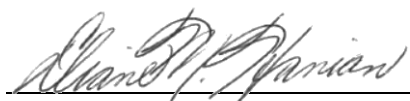
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 10<sup>th</sup> day of July 2020.

  
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PAUL KJELLANDER, PRESIDENT

  
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KRISTINE RAPER, COMMISSIONER

  
\_\_\_\_\_  
ERIC ANDERSON, COMMISSIONER

ATTEST:

  
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Diane M. Hanian  
Commission Secretary

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