

## DECISION MEMORANDUM

**TO:** COMMISSIONER ANDERSON  
COMMISSIONER HAMMOND  
COMMISSIONER LODGE  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL

**FROM:** MICHAEL DUVAL  
DEPUTY ATTORNEY GENERAL

**DATE:** SEPTEMBER 26, 2023

**SUBJECT:** SHERRY COLE'S APPEAL OF ORDER NO. 35903 TO THE IDAHO SUPREME COURT; IPUC CASE NO. SUP-E-23-01.

On September 6, 2023, Sherry Cole filed a Notice of Appeal from Order No. 35903 in Case No. PAC-E-23-12. The appeal is currently titled "SHERRY COLE, Appellant v. PACIFICORP, d/b/a ROCKY MOUNTAIN POWER COMPANY, Respondent." Per Idaho Appellate Rule 6, and Idaho Public Utilities Commission Rules of Procedure 343, the agency may, by order, correct the title of an appeal at any time before the agency's record is lodged with the Idaho Supreme Court.

### STAFF RECOMMENDATION

Staff recommends that the Commission issue an order correcting the title of the appeal to "SHERRY COLE, Appellant, v. IDAHO PUBLIC UTILITIES COMMISSION and PACIFICORP, d/b/a ROCKY MOUNTAIN POWER COMPANY, Respondents on Appeal" to better reflect the parties' positions on appeal. Staff also recommends that the Commission's order direct the Commission Secretary to file a copy of the order with the Idaho Supreme Court.

### COMMISSION DECISION

Does the Commission wish to issue an order:

- 1) Correcting the title of the appeal as recommended by Staff, and
- 2) Directing the Commission Secretary to file a copy of the order with the Idaho Supreme Court?



Michael Duval  
Deputy Attorney General

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