

DECISION MEMORANDUM

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

**FROM: ADAM TRIPLETT
 DEPUTY ATTORNEY GENERAL**

DATE: OCTOBER 10, 2023

**SUBJECT: SAMUEL AND PEGGY EDWARDS’ APPEAL OF ORDER NO. 35904 TO
 THE IDAHO SUPREME COURT; IPUC CASE NO. SUP-E-23-02.**

On September 28, 2023, Samuel and Peggy Edwards filed a Notice of Appeal from Order No. 35904 in Case No. PAC-E-23-05. The appeal is currently titled “JACOBA H. VAN MASTRIGT, et al, APPELLANTS, vs. IADHO PUBLIC UTILITIES COMMISSION AND PACIFICORP, d/b/a ROCKY MOUNTAIN POWER, RESPONDENTS.” The caption of the Notice of Appeal also lists the case numbers of the other five formal complaints that were consolidated simultaneously with the Edwards’ complaint (Case No. PAC-E-23-05).¹ 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 “SAMUEL and PEGGY EDWARDS, Appellants, v. IDAHO PUBLIC UTILITIES COMMISSION and PACIFICORP, d/b/a ROCKY MOUNTAIN POWER COMPANY, Respondents on Appeal” and deleting the other five case numbers relating to the cases that were consolidated with the Edward’s complaint 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.

¹ The Commission Processed this case along with Case Nos. PAC-E-23-04, PAC-E-23-06, PAC-E-23-07, PAC-E-23-08, and 11 and issued Final Order No. 35849 dismissing each. Only Case No. PAC-E-23-05 was reconsidered by the Commission and thus is the only case that can be appealed.

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?



Adam Triplett
Deputy Attorney General

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