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IDAHO PUBLIC
UTILITIES COMMISSION

DRAFT #3
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BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE)	CASE NO. IPC-E-02-12
INVESTIGATION OF TIME-OF-USE)	
PRICING FOR IDAHO POWER)	IDAHO POWER COMPANY'S
RESIDENTIAL CUSTOMERS.)	MOTION FOR ADDITIONAL TIME
_____)	TO FILE REPLY COMMENTS

COMES NOW Idaho Power Company ("Idaho Power" or "the Company"), and hereby moves the Commission for an order allowing Idaho Power additional time to file reply comments in the above-referenced proceeding.

As a preface to this Motion, the Company believes that it is necessary to set forth its concerns regarding the procedure the Commission appears to be following for processing this matter. In Order No. 29026 in Case Nos. IPC-E-02 & 03, the Company was directed to submit a report concerning the general viability of residential time-of-use pricing on the Idaho Power system. To date, all that has occurred is the filing of that report. The Company is concerned that responding parties will assume that the comment process initiated in this case will provide the necessary procedural

due process needed to implement a time-of-use pricing program. In fact, there are a myriad of issues, beyond the current scope of this proceeding, to be considered if the Commission ultimately determines that a residential time-of-use pricing program should be pursued, even on a pilot program basis. The Company is concerned that this proceeding has been procedurally structured as if Idaho Power has “filed” an application requesting some type of affirmative relief, (which can be ruled upon) rather than simply the filing of a report as required by the Commission.

Most certainly, the Company welcomes comments concerning that report. But the viability, on a very generalized basis, of a time-of-use pricing program, is all that can be currently addressed in a notice and comment process such as this one. Even considering the limited issues that are currently ripe for comment, the Company requests an order allowing Idaho Power additional time to file reply comments in the above-referenced proceeding.

This request is based on the following:

1. In its Notice of Comment Deadlines issued on September 27, 2002, the Commission established November 4, 2002, as the deadline for filing written comments or protests addressing Idaho Power Company’s “Report on Residential Time-of-Use Pricing” (“Report”). The Notice also established November 13, 2002 as the date for Idaho Power to file written reply comments.

2. While it is impossible, as previously discussed, to anticipate the extent and complexity of comments that may be filed by Staff and other interested parties, Idaho Power is concerned that the amount of time currently allowed for Idaho Power to prepare and file written reply comments will be inadequate.

The current schedule provides that comments or protests must be filed Monday, November 4, 2002. Assuming that parties will file and mail their comments on November 4, and assuming that the commenting parties serve Idaho Power with copies of the comments when they mail them to the Commission (they often don't send copies to Idaho Power), it is likely to be November 6 or 7 before Idaho Power actually receives the comments. If the comments are extensive, that would leave Idaho Power six or seven calendar days to review the comments and prepare and file reply comments. Recognizing that November 11 is a holiday (Veterans Day), the existing schedule would actually provide Idaho Power with, at best, six working days in which to review, prepare and file reply comments.

3. Depending on the extent and complexity of the comments, six days is not sufficient time for the Company to prepare meaningful reply comments. The Company submits that thirty days is a more realistic time period, given the procedural posture of these proceedings. Therefore, Idaho Power requests that the Commission extend the deadline for Idaho Power to file its written reply comments until December 13, 2002. If comments from the parties and staff are not extensive or complex, the full thirty days may not be required to adequately reply and Idaho Power will file sooner if possible. However, Idaho Power also reserves the right to request additional time beyond the December 13 date depending on the volume and complexity of comments received.

NOW, THEREFORE, Idaho Power hereby respectfully requests that the Commission issue its order providing that the deadline for Idaho Power Company to file

written reply comments in this case be extended from Wednesday, November 13, 2002,
to Friday, December 13, 2002.

Respectfully submitted this 4th day of October, 2002.

A handwritten signature in cursive script, appearing to read 'B L Kline', written over a horizontal line.

BARTON L. KLINE
Attorney for Idaho Power Company