

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER)	
COMPANY'S APPLICATION TO APPROVE)	CASE NO. IPC-E-15-26
THE TRANSFER AND SALE OF CERTAIN)	
ASSETS TO THE UNITED STATES)	
DEPARTMENT OF JUSTICE, FEDERAL)	ORDER NO. 33443
BUREAU OF INVESTIGATION)	

On November 25, 2015, Idaho Power Company filed an Application for an Order approving the transfer and sale of certain utility assets to the Federal Bureau of Investigation (FBI) under Company Rule M (Facilities Charge). Idaho Power asked that the Application be processed under Modified Procedure, and also requested that the Commission's Order be issued on or before February 25, 2016. On December 15, 2015, the Commission issued a Notice of Application and Notice of Modified Procedure. Order No. 33433. That same day, the Industrial Customers of Idaho Power (ICIP) filed a Petition to Intervene, and the next day, filed a Motion to Extend Comment Deadline. In its Motion, ICIP asked that the deadline for comments be extended to January 26, 2016, and the reply deadline be extended to February 2, 2016, to accommodate the discovery process.

THE PETITION TO INTERVENE

Under Procedural Rule 71, "[p]ersons not original parties to a proceeding who claim a direct and substantial interest in the proceeding may petition for an order from the Commission granting intervention to become a party." IDAPA 31.01.01.071. The petitioner must show a direct and substantial interest in any part of the subject matter of the proceeding, and that their intervention does not unduly broaden the issues. Rule 74, IDAPA 31.01.01.074. The Commission shall not act upon such petition fewer than seven days after its filing, during which time parties may file oppositions to the petition. Rule 75, IDAPA 31.01.01.075. It has been seven days and the Commission has received no objections to the Petition.

In its Petition, ICIP explained that it is "an unincorporated association of Schedule 19 customers of Idaho Power." Petition at 2. ICIP claimed it has "a direct and substantial interest in this proceeding in that its members are interested in the administration and application of Idaho Power's Rule M," which governs the sale of Idaho Power-owned facilities "beyond the point of delivery." *Id.* Also, ICIP members are interested in how the administration of Rule M

impacts Schedule 19 retail rates. *Id.* ICIP maintains that its involvement “will not unduly broaden the issues nor will it prejudice any party to this case.” *Id.*

We note that no party has opposed ICIP’s Petition. We find that, as customers who receive electric utility services from Idaho Power, ICIP has a direct and substantial interest in this proceeding. We expect that ICIP’s participation will not unduly broaden the issues nor prejudice a party to the case. Accordingly, we grant the Petition to Intervene.

THE MOTION TO EXTEND DEADLINES

ICIP also filed a Motion to Extend the deadlines for comments and Idaho Power’s reply. ICIP indicated that it had requested discovery from Idaho Power on December 15, and sought the comment deadline extension to permit adequate time for ICIP to fully review discovery responses and present comments to the Commission. Motion at 1. ICIP requested that the deadline for written comments be extended from January 5 to January 26, 2016, and that the reply deadline be extended from January 12 to February 2, 2016. Commission Staff and Idaho Power did not oppose the Motion, so long as the Commission could still issue its Order by February 25, 2016.

We find that the proposed deadline extensions reasonably permit the parties to engage in meaningful discovery. Although Idaho Power requested resolution of its Application before February 25, 2016, the extensions still allow the Commission adequate time to review the record and issue an Order.

ORDER

IT IS HEREBY ORDERED that ICIP’s Petition to Intervene is granted. The Commission Secretary shall issue a Notice of Parties accordingly.

IT IS FURTHER ORDERED that ICIP’s Motion to Extend Comment Deadlines is granted. Written comments shall be filed no later than January 26, 2016. Reply comments by Idaho Power, if any, shall be filed no later than February 2, 2016.

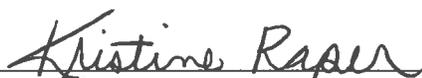
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 23rd
day of December 2015.



PAUL KJELLANDER, PRESIDENT

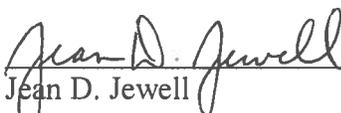


MARSHA SMITH, COMMISSIONER



KRISTINE RAPER, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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