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IDAHO PUBLIC
UTILITIES COMMISSION

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December 15, 2011

RICHARD R. HALL
Direct (208) 387-4211
rrhall@stoel.com

BY HAND DELIVERY

Jean Jewell
Idaho Public Utilities Commission
472 W Washington
Boise, ID 83702

Re: Case No. ~~PAC-E-11-07~~ PAC-E-11-01 thru 11-05
Amended Notice of Appeal

Dear Jean:

Enclosed for filing please find Rocky Mountain Power, the Commission's Staff and Cedar Creek Wind LLC's Motion for Approval of Settlement Stipulation and for Authority to Withdraw Applications (1 original plus 7 copies) and, per or telephone conversation earlier today, Stipulation For Settlement and Requests for Approval of Power Purchase Agreement (1 original w/ exhibits, 1 copy w/ exhibits and 6 copies w/o exhibits).

I've also include an extra copies of each. Please conform these copies and return with our runner.

Please do not hesitate to contact me with questions.

Best regards,

A handwritten signature in cursive script that reads "R. R. Hall".

Richard R. Hall

RRH:ct
Enclosure

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BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)
PACIFICORP DBA ROCKY MOUNTAIN)
POWER FOR A DETERMINATION)
REGARDING A FIRM ENERGY SALES) CASE NO. PAC-E-11 -01
AGREEMENT BETWEEN ROCKY MOUNTAIN)
POWER AND CEDAR CREEK WIND, LLC)
(RATTLESNAKE CANYON PROJECT))

IN THE MATTER OF THE APPLICATION OF)
PACIFICORP DBA ROCKY MOUNTAIN)
POWER FOR A DETERMINATION)
REGARDING A FIRM ENERGY SALES) CASE NO. PAC-E-11-02
AGREEMENT BETWEEN ROCKY MOUNTAIN)
POWER AND CEDAR CREEK WIND, LLC)
(COYOTE HILL PROJECT))

IN THE MATTER OF THE APPLICATION OF)
PACIFICORP DBA ROCKY MOUNTAIN)
POWER FOR A DETERMINATION)
REGARDING A FIRM ENERGY SALES) CASE NO. PAC-E-11-03
AGREEMENT BETWEEN ROCKY MOUNTAIN)
POWER AND CEDAR CREEK WIND, LLC)
(NORTH POINT PROJECT))

IN THE MATTER OF THE APPLICATION OF)
PACIFICORP DBA ROCKY MOUNTAIN)
POWER FOR A DETERMINATION)
REGARDING A FIRM ENERGY SALES) CASE NO. PAC-E-11-04
AGREEMENT BETWEEN ROCKY MOUNTAIN)
POWER AND CEDAR CREEK WIND, LLC)
(STEEP RIDGE PROJECT))

IN THE MATTER OF THE APPLICATION OF)
PACIFICORP DBA ROCKY MOUNTAIN) CASE NO. PAC-E-11-05
POWER FOR A DETERMINATION)
REGARDING A FIRM ENERGY SALES) MOTION FOR APPROVAL OF
AGREEMENT BETWEEN ROCKY MOUNTAIN) SETTLEMENT STIPULATION
POWER AND CEDAR CREEK WIND, LLC) AND FOR AUTHORITY TO
(FIVE PINE PROJECT)) WITHDRAW APPLICATIONS
_____)

COMES NOW, Cedar Creek Wind, LLC (“Cedar Creek”), Rocky Mountain Power (the “Company”), and the Staff of the Idaho Public Utilities Commission (“Staff” and collectively referred to as “the Parties”), and hereby move the Commission for an Order approving the Settlement Stipulation (“Stipulation”) filed herewith, and for authority to withdraw the Applications associated with Case Nos. PAC-E-11-1 and PAC-E-11-04. This Motion is based on the following:

1. This proceeding concerns the Commission’s review of five qualifying facilities (“QFs”) power purchase agreements between PacifiCorp and Cedar Creek filed with the Commission in the above captioned cases on January 10, 2011 (the “Original Agreements”). Under the Original Agreements, Cedar Creek committed to sell, and Rocky Mountain Power committed to buy, all of the energy and capacity from each of Cedar Creek’s five wind generating facilities (the “Projects”). The Original Agreements were the result of months of negotiation between Cedar Creek and Rocky Mountain Power.

2. With a view toward resolving the issues raised in the pending Commission cases (PAC-E-11-01 through PAC-E-11-05), in FERC Docket No. EL11-59-000, and in Idaho Supreme Court Docket No. 39134-2011, representatives of the Parties met on October 20 and 27, November 16, and December 1, 2011, pursuant to IDAPA 31.01.01.352, to engage in settlement discussions.

3. As a result of the settlement discussions, the Parties have reached agreement that as of at least December 13, 2010, Cedar Creek had a “legally enforceable obligation” with Rocky Mountain Power. Accordingly, the Parties respectfully request that the Commission, pursuant to its authority, (i) approve the Stipulation and all of its terms and conditions without material change; (ii) modify its July 27, 2011, Order No. 32302 on Reconsideration (such modified order

to be referred to herein as the "Amended Order"); and (iii) make such additional findings or take such notice as it deems necessary and appropriate, and approve three of the five Firm Energy Sales Agreements, as amended by the Stipulation, namely, the North Point Project (Case No. PAC-E-11-03), the Five Pine Project (Case No. PAC-E-11-05) and the Coyote Hill Project (Case No. PAC-E-11-02). *See* IDAPA 31.01.01.326, 352-354. The Parties also request that the Commission grant Rocky Mountain Power the authority to withdraw the Applications for approval associated with the remaining two Original Agreements in Case No. PAC-E-11-01 and Case No. PAC-E-11-04.

4. If the Commission approves the Stipulation without material modification, Cedar Creek agrees to withdraw its Idaho Supreme Court appeal in Docket No. 39134-2011, and the Parties agree to waive any right to file any action authorized by or in connection with the Amended Order, or the order issued by FERC in Docket No. E11-59-000, or any appeal concerning the matters expressed herein.

5. The Parties agree that the Stipulation represents a fair, just and reasonable resolution of the issues in this proceeding, is in the public interest, and is in accordance with law and applicable regulatory policies. The Parties recommend that the Commission grant this Motion and approve the Stipulation in its entirety, without material change or condition.

NOW, THEREFORE, the Parties respectfully request that the Commission issue an Amended Order in Case Nos. PAC-E-11-01, PAC-E-11-02, PAC-E-11-03, PAC-E-11-04 and PAC-E-11-05:

1. Approving the Stipulation, in its entirety, without material change or condition;
and

2. Authorizing the Company to withdraw its Applications in Case Nos. PAC-E-11-01 and PAC-E-11-04.

Respectfully submitted this 14th day of December 2011.

Rocky Mountain Power

By Mark E. Moench
Mark E. Moench
Senior Vice President and General Counsel

Cedar Creek Wind, LLC

By Dana C. Zentz
Kelly Goodman
General Counsel
DANA C. ZENTZ
MANAGER

Idaho Public Utilities Commission Staff

By Kristine A. Sasser
Kristine A. Sasser
Deputy Attorney General