

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION )**  
**OF PACIFICORP DBA ROCKY MOUNTAIN ) CASE NO. PAC-E-11-12**  
**POWER FOR APPROVAL OF CHANGES TO )**  
**ITS ELECTRIC SERVICE SCHEDULES ) ORDER NO. 32420**  
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On May 27, 2011, PacifiCorp dba Rocky Mountain Power (“Rocky Mountain Power” or “Company”) filed an Application with the Commission seeking approval to increase its rates for electric service to its retail customers in Idaho by approximately \$32.7 million, or an overall average rate increase of 15%. On June 8, 2011, the Commission issued a Notice of Application and suspended the proposed rate increases for a period of thirty (30) days plus five (5) months from June 27, 2011, or until such time as the Commission enters an Order accepting, rejecting or modifying the Company’s Application. *See* Order No. 32263. In other words, the proposed rates were suspended until December 27, 2011. *Idaho Code* § 61-622.

On August 3, 2011, the Commission issued a Notice of Schedule and Notice of Technical Hearing that included dates for a settlement conference and a technical hearing. *See* Order No. 32309. Following the settlement conferences, all of the parties, except Community Action Partnership Association of Idaho (CAPAI), entered into a Stipulation that proposed to settle nearly all of the issues in the rate case. On October 18, 2011, Rocky Mountain Power filed a Settlement Stipulation with the Commission. A provision of the Stipulation requests Commission approval of an initial effective date of January 1, 2012.

**DISCUSSION AND FINDINGS**

The Commission’s authority to suspend the effective date of a proposed increase in any rate is contained in *Idaho Code* § 61-622. This section states in relevant part:

The commission shall have power, and is hereby given authority . . . to enter upon a hearing concerning the propriety of such rate . . . and pending the hearing and decision thereon, such rate . . . shall not go into effect; provided, that the period of suspension of such rate . . . shall not extend beyond thirty (30) days when such rate . . . would otherwise go into effect, pursuant to section 61-307, Idaho Code, unless the commission in its discretion extends the period of suspension for an initial period not exceeding five (5) months, **nor unless the commission after a showing of good cause on the record grants an additional sixty (60) days [of suspension].**

*Idaho Code* § 61-622 (emphasis added). Under Rule 276, the Commission is not bound by any of the terms of the proposed Stipulation. IDAPA 31.01.01.276. In particular, the Commission is free to “accept the settlement, reject the settlement, or state additional conditions under which the settlement is accepted.” *Id.*

By our calculation, the initial suspension period (30 days plus 5 months) in this case ends on December 27, 2011. The technical hearing was conducted on December 19, 2011. The telephonic public hearing was conducted the same evening. At the technical hearing, we ordered the parties to submit any Petitions for Intervenor Funding no later than the end of the business day on Friday, December 23, 2011. Thus, the record in this case will be closed (subject to any objection to intervenor funding) on December 23, 2011.

Time is required to prepare a transcript of the technical hearing and the public hearing, December 26, 2011 is a legal holiday, and time is necessary for the review of the entire record in this proceeding. We find that there is good cause for the suspension period in this case to continue. The Commission finds that the four remaining business days before the end of the suspension period (December 27, 2011) are insufficient to render a well-considered decision in this matter. Due to the complexity of the issues in this case, the size of the increase requested by the Company and the current obligations of the Commission, we find that an additional 21-day suspension period is necessary. *Idaho Code* § 61-622.

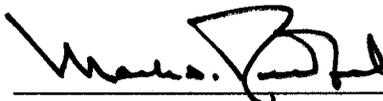
We recognize that the Stipulation filed by the Company, and signed by all of the parties except CAPAI, contemplates that the proposed increase will take effect on January 1, 2012. Nevertheless, the Commission has a duty to carefully consider all of the issues related to the Company’s Application. Accordingly, we find there is good cause to continue the suspension period until January 17, 2012. The Commission will endeavor to issue the final Order as soon as possible.

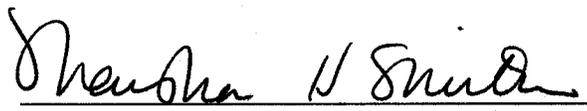
**ORDER**

IT IS HEREBY ORDERED that Rocky Mountain Power’s Application shall be suspended up to an additional 21 days, or until January 17, 2012, unless the final Order is issued sooner.

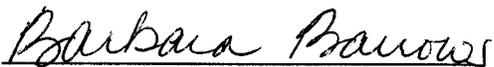
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 22nd day of December 2011.

  
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PAUL KJELLANDER, PRESIDENT

  
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MACK A. REDFORD, COMMISSIONER

  
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MARSHA H. SMITH, COMMISSIONER

ATTEST:

  
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Barbara Barrows  
Assistant Commission Secretary

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