

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER SMITH  
COMMISSIONER HANSEN  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL

**FROM:** SCOTT WOODBURY

**DATE:** MAY 21, 2004

**RE:** CASE NO. IPC-E-04-7 (Idaho Power)  
FIRM ENERGY SALES AGREEMENT (15.9 MW)  
J.R. SIMPLOT COMPANY (Pocatello)  
MOTION TO WITHDRAW APPLICATION

On March 5, 2004, Idaho Power Company (Idaho Power; Company) filed an Application with the Idaho Public Utilities Commission (Commission) requesting approval of a Firm Energy Sales Agreement (Agreement) between Idaho Power and J.R. Simplot Company (Simplot) dated February 19, 2004.

On May 20, 2004, Idaho Power Company on behalf of itself and J.R. Simplot filed a Motion to Withdraw the Application in Case No. IPC-E-04-7. Staff recommends that Idaho Power's Motion to Withdraw its Application be granted. Reference IDAPA 31.01.01.068. Withdrawal of pleadings is authorized under the Commission's Rules of Procedure.

Does the Commission agree to the closing of the docket in Case No. IPC-E-04-7?

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Scott Woodbury