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IDAHO PUBLIC  
UTILITIES COMMISSION

Attorneys for U.S. Geothermal, Inc.  
S:\CLIENTS\66672\US Geo Brief in Opp to Mot to Consolidate.DOC

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

U.S. GEOTHERMAL, INC., an Idaho  
corporation,

Complainant,

vs.

IDAHO POWER COMPANY, an Idaho  
corporation,

Respondent.

Case No. IPC-E-04-08

**U.S. GEOTHERMAL, INC.'S  
OPPOSITION TO MOTION TO  
CONSOLIDATE OR IN THE  
ALTERNATIVE FOR LEAVE TO  
INTERVENE AND MOTION TO  
AMEND COMPLAINT**

COMES NOW U.S. Geothermal, Inc. ("U.S. Geothermal"), by and through its attorneys of record, Givens Pursley LLP, and hereby opposes Bob Lewandowsky and Mark Schroeder's Motion to Consolidate or in the Alternative for Leave to Intervene and Motion to Amend Complaint.

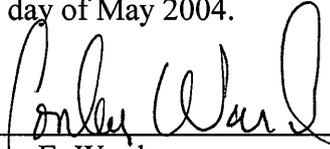
U.S. Geothermal admits that Mr. Lewandowsky and Mr. Shroeder have a "direct and substantial interest" in these proceedings, and therefore have a right to intervene in these proceedings so long as their participation does not unduly broaden the scope of the proceedings. See IPUC Rules of Procedure § 74. But U.S Geothermal opposes the Motion to Consolidate on the grounds that, in order to speed the resolution of this case, U.S. Geothermal has agreed to an

**U.S. GEOTHERMAL, INC.'S OPPOSITION TO MOTION TO CONSOLIDATE OR IN THE  
ALTERNATIVE FOR LEAVE TO INTERVENE AND MOTION TO AMEND COMPLAINT - Page 1 of 3**

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expedited filing of its testimony. Granting the motion to consolidate would undoubtedly require the Commission to establish a schedule for the proceedings other than the one U. S. Geothermal has agreed to, thus prejudicing U. S. Geothermal's attempt to resolve this case as rapidly as possible. Because of the prejudicial impact on U. S. Geothermal, consolidation is not appropriate under the provisions of Rule 247 of the IPUC Rules of Procedure.

RESPECTFULLY SUBMITTED this 25<sup>th</sup> day of May 2004.

  
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Conley E. Ward  
GIVENS PURSLEY LLP  
Attorneys for U.S. Geothermal, Inc.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 25<sup>th</sup> day of May 2004, I caused to be served a true and correct copy of the foregoing document by the method indicated below and addressed to the following:

Jean Jewell  
Idaho Public Utilities Secretary  
472 W. Washington Street  
P.O. Box 83720  
Boise, ID 83720-0074

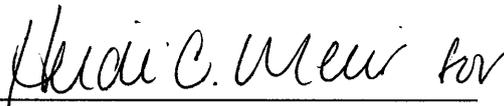
U.S. Mail  
 Hand Delivered  
 Overnight Mail  
 Facsimile

Barton L. Kline  
Idaho Power Company  
1221 W. Idaho Street  
P.O. Box 70  
Boise, ID 83707

U.S. Mail  
 Hand Delivered  
 Overnight Mail  
 Facsimile

Peter J. Richardson  
RICHARDSON & O'LEARY  
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 Hand Delivered  
 Overnight Mail  
 Facsimile

  
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