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IDAHO PUBLIC
 UTILITIES COMMISSION

Attorneys for Idaho Power Company

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE PETITION OF)	CASE NO. IPC-E-05-22
IDAHO POWER COMPANY FOR AN)	
ORDER TEMPORARILY SUSPENDING)	IDAHO POWER COMPANY'S
IDAHO POWER'S PURPA OBLIGATION)	MOTION TO MODIFY SCHEDULE
TO ENTER INTO CONTRACTS TO)	
PURCHASE ENERGY GENERATED BY)	
WIND-POWERED SMALL POWER)	
PRODUCTION FACILITIES.)	
_____)	

Idaho Power Company ("Idaho Power" or "the Company"), pursuant to RP 056, hereby requests that the Commission modify its procedural order issued on July 1, 2005, to allow time for the filing of rebuttal testimony and to permit the parties to explore settlement prior to oral argument on non-legal issues and the presentation of testimony and cross-examination of witnesses.

In support of its Motion, Idaho Power states as follows:

1. In its procedural order dated July 1, 2005, the Commission set July 22, 2005, as the date for a public hearing and oral argument on the limited issue of

the requested temporary suspension of Idaho Power's PURPA obligations to enter into contracts to purchase energy generated by wind-powered small power production facilities. The July 1, 2005 notice also provided for a procedural conference to take place on July 22 following the hearing and oral argument.

2. In response to the Commission's July 1, 2005 notice, nine parties have filed petitions to intervene and the Commission Staff and eight of those intervenors have filed testimony and exhibits. The volume of the testimony is significant and, as might be expected, considering the diversity of the parties filing testimony, the prefiled testimony addresses a wide variety of issues. In light of the volume of testimony filed and the variety of issues addressed, it is unlikely that oral argument, presentation of testimony and cross-examination of witnesses and a procedural conference can be completed in one day.

3. Considering the volume of testimony and variety of issues addressed in the testimony that has been filed, Idaho Power believes that it is entitled to an opportunity to file rebuttal testimony and other parties may desire a similar opportunity. The current schedule does not provide adequate time for submitting rebuttal testimony.

4. After reviewing the prefiled testimony, Idaho Power believes that it may be productive to undertake settlement discussions on the temporary suspension issues prior to oral argument on the non-legal issues and the presentation of testimony and cross-examination of witnesses. Idaho Power anticipates that the chances for a successful settlement will be enhanced if settlement discussions are held prior to the cross-examination of witnesses.

5. Idaho Power is prepared to participate in settlement negotiations to resolve the temporary suspension issues as early as next Thursday. Settlement discussions would include (1) the factors that would be applied to establish which projects are sufficiently mature so that any temporary suspension would not apply to them, i.e., entitlement to "grandfather" status; (2) the issues to be addressed in subsequent proceedings if the Commission grants a temporary suspension; (3) the format for such subsequent proceedings, i.e., workshops rather than an adversarial process; (4) scheduling; and (5) such other issues as the Commission may direct.

6. Until the Commission makes a determination on the "grandfather" issue, utilities would not sign any new QF wind contracts.

Based on the foregoing, Idaho Power proposes the following change in the schedule set in the July 1, 2005 notice:

1. On Friday, July 22, oral argument on the legal issues associated with the Commission's authority to temporarily suspend or restrict the availability of published rates for intermittent QF resources would be completed followed by a procedural conference to set a date for a settlement conference. Oral argument on the policy issues associated with the temporary suspension and presentation of testimony and cross-examination of witnesses would be deferred to follow the settlement conference.

2. The procedural conference would also establish a date for the filing of rebuttal testimony and dates for cross-examination of witnesses on the prefiled testimony if the parties are unable to reach a settlement.

3. *Alternatively*, the Commission may desire to defer all oral argument and cross-examination until after the parties have had a chance to undertake settlement discussions. The parties could use the July 22 time for a procedural conference to set a date for settlement discussions and dates for filing rebuttal testimony, oral argument and cross-examination if settlement cannot be achieved.

DATED this 19th day of July, 2005.

A handwritten signature in black ink, appearing to read 'B L Kline' and 'M B Moen' joined together.

BARTON L. KLINE
MONICA B. MOEN
Attorneys for Idaho Power Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of July, 2005, I served a true and correct copy of IDAHO POWER COMPANY'S MOTION TO MODIFY SCHEDULE upon the following named parties by the method indicated below, and addressed to the following:

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