



IDAHO POWER COMPANY
P.O. BOX 70
BOISE, IDAHO 83707

RECEIVED
FEB
2006 FEB 28 PM 3:48
IDAHO PUBLIC UTILITIES COMMISSION

MONICA MOEN
Attorney

February 28, 2006

Jean D. Jewell, Secretary
Idaho Public Utilities Commission
472 West Washington Street
P. O. Box 83720
Boise, Idaho 83720-0074

Re: Case No. IPC-E-06-04
Idaho Power Company's Petition For An Order Rescinding
Order No. 28804 Regarding the Filing of Biennial Cost
Information-Unbundling Reports

Dear Ms. Jewell:

Please find enclosed for filing an original and seven (7) copies of Idaho Power Company's Petition for an Order rescinding Order No. 28804 as it applies to Idaho Power to discontinue the requirement to file biennial cost information unbundling reports.

I would appreciate it if you would return a stamped copy of this transmittal letter in the enclosed self-addressed, stamped envelope.

Very truly yours,

Monica Moen

MM:jb
Enclosures

MONICA MOEN, ISB # 5734
BARTON L. KLINE, ISB # 1526
Idaho Power Company
1221 West Idaho Street
P. O. Box 70
Boise, Idaho 83707
Telephone: (208) 388-2692
FAX Telephone: (208) 388-6936
MMoen@idahopower.com
BKline@idahopower.com

RECEIVED
FEB 28 PM 3:48
IDAHO PUBLIC UTILITIES COMMISSION

Attorneys for Idaho Power Company

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

PETITION FILED BY IDAHO POWER)
COMPANY FOR AN ORDER RESCINDING) CASE NO. IPC-E-06-04
ORDER NO. 28804 AS IT APPLIES TO)
IDAHO POWER COMPANY TO)
DISCONTINUE THE REQUIREMENT) PETITION
TO FILE BIENNIAL COST)
INFORMATION-UNBUNDLING REPORTS)
_____)

COMES NOW Idaho Power Company ("Idaho Power" or the "Company") and, pursuant to IPUC Rule of Procedure 53, hereby petitions the Idaho Public Utilities Commission ("IPUC" or the "Commission") to issue an Order rescinding Order No. 28804, as it applies to Idaho Power, that requires the Company to file biennial cost information-unbundling reports ("Cost Reports") with the Commission.

I.

In 1997, in response to concerns regarding the potential effects of electric deregulation on retail choice, the Idaho State Legislature enacted Chapter 403, Session

Laws of Idaho 1997, pp. 1279-1281, that created §§ 61-338 and 61-339 of the *Idaho Code*. Under these statutes, electric suppliers in the state of Idaho with over 1,000 customers were required to file unbundled cost information with the Commission. The IPUC was to compile the unbundled cost information and provide it to the Governor and Legislature. The law contained a sunset provision and became null and void on January 1, 1999.

II.

In response to *Idaho Code* §§ 61-338 and 61-339, the Commission instituted Case No. GNR-E-97-1 to provide for the method and manner by which the Cost Reports would be compiled and submitted to the Commission. The Commission compiled the information and submitted the reports as required by law.

III.

Subsequent to Case No. GNR-E97-1, the Commission, on its own authority, required that the investor-owned utilities under its jurisdiction continue to file Cost Reports on an annual basis beyond the January 1, 1999 sunset provision of the original legislation. The Idaho Power proceeding was docketed as Case No. IPC-E-98-2. See Order No. 27676.

IV.

On May 18, 2001, Idaho Power filed an Application with the Commission requesting that the Commission authorize the discontinuance of the annual filing of the Cost Reports (Case No. IPC-E-01-18). In its 2001 Application, the Company stated that discontinuance of the filing of the Cost Report would have no effect on the ability of the Commission to require that appropriate cost information be submitted in other

proceedings. In Order No. 28804 issued on August 15, 2001, the Commission required Idaho Power to continue to file the Cost Reports with the Commission on a biennial basis. The Company has filed Cost Reports with the Commission every other year since the issuance of Order No. 28804.

V.

In its Comments submitted in Case No. IPC-E-01-18, the Commission Staff conceded that, under normal conditions, “costs change relatively slowly.” See Case No. IPC-E-01-18, Staff Comments dated July 5, 2001 at 3. Furthermore, since 2001, Idaho Power has filed two general rate cases that, by their nature, have provided the Commission and its Staff the opportunity to review the Company’s costs in significant detail. Moreover, the Company intends to regularly file general rate actions with the Commission that would enable the Commission to routinely examine the Company’s costs. As Idaho Power witness John R. Gale states in his direct testimony in the Company’s current general rate case, “the Company is in the middle of several frequent general rate actions.” See Case No. IPC-E-05-28, Gale, Di at 16.

VI.

Given the anticipated frequency with which the Company expects to file general rate cases with the Commission, Idaho Power believes that the Commission and its Staff will continue to have the opportunity to review the Company’s costs in greater detail than afforded in the biennial Cost Reports. Accordingly, Idaho Power submits that it is in the public interest to permit the Company to discontinue filing the Cost Reports required by Order No. 28804.

VII.

Service of pleadings, exhibits, orders and other documents relating to this proceeding should be served on the following:

Monica Moen, Attorney II
Barton Kline, Senior Attorney
Idaho Power Company
P. O. Box 70
Boise, Idaho 83707

Maggie Brilz
Director of Pricing
Idaho Power Company
P. O. Box 70
Boise, Idaho 83707

VIII.

The Company requests that this Petition be processed under IPUC Rule of Procedure 201, et al., allowing for consideration of issues to be processed under Modified Procedure, i.e., by written submission rather than by an evidentiary hearing.

WHEREFORE, Idaho Power Company respectfully requests that the Commission enter its order authorizing Idaho Power to discontinue filing the biennial Cost Report required in Case No. IPC-E-01-18 and pursuant to Order No. 28804.

DATED at Boise, Idaho this 28th day of February 2006.



MONICA B. MOEN
Attorney for Idaho Power Company