

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION)
OF IDAHO POWER COMPANY FOR) CASE NO. IPC-E-06-23
APPROVAL OF AN AGREEMENT)
BETWEEN AVIMOR, LLC AND IDAHO)
POWER TO PROVIDE ELECTRIC)
TRANSMISSION AND SUBSTATION) ORDER NO. 30372
FACILITIES TO THE AVIMOR MULTI-USE)
DEVELOPMENT)**

On September 27, 2006, Idaho Power Company filed an Application requesting approval of a "Special Facilities Agreement" the Company signed with Avimor, LLC. The Agreement is for the construction of transmission and substation facilities for a large, multi-use residential subdivision located north of Boise and developed by Avimor. As initially submitted to the Commission, the Agreement requires Avimor to contribute the construction cost of \$4.3 million for the facilities but Avimor is eligible to receive a refund of its contribution from Idaho Power based upon the number of customers subsequently connected to the facilities. Under the Agreement, Avimor would receive a refund of its entire \$4.3 million investment if, within 10 years, 685 permanent residential services are connected, or if the meter demand at the development's delivery point meets or exceeds 6,850 kilowatts (kW).

On May 24, 2007, the Commission issued final Order No. 30322 and found that the Agreement as written "places too great a financial burden on Idaho Power's existing ratepayers." The Commission stated that it would approve the Special Facilities Agreement if it were revised to meet the concerns identified in the Commission's final Order.

On June 14, 2007, Avimor submitted a timely Petition for Reconsideration. Pursuant to the Commission's procedural Rule 331.03, Avimor requested reconsideration by written brief and requested that it be given until June 29, 2007 to file its brief. IDAPA 31.01.01.331.03. Avimor filed its reconsideration brief on June 29, 2007.

DISCUSSION

Idaho Code § 61-626 provides that the Commission must determine whether it shall grant or deny a Petition for Reconsideration within 28 days after the filing of such a petition. "If reconsideration is granted, said order shall specify how the matter will be reconsidered[.]" *Id.*

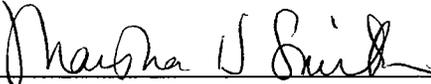
After reviewing Avimor's Petition for Reconsideration the Commission finds there is good cause to grant Avimor's Petition. We further find that it is reasonable for Avimor to file its reconsideration brief on June 29, 2007. Given the timing of the subsequent brief and the previously scheduled obligations of the Commission, granting reconsideration will allow us time to thoroughly review the record in this matter and render a decision. Based upon the request of Avimor, the Commission finds that reconsideration shall be based upon Avimor's written brief and the record in this matter. *Idaho Code* § 61-626(2). There being no answers or cross-petitions for reconsideration, the Commission anticipates issuing its final Order on Reconsideration no later than July 27, 2007.

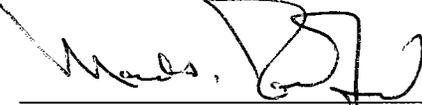
ORDER

IT IS HEREBY ORDERED that Avimor's Petition for Reconsideration is granted. The Commission shall reconsider its Order No. 30322 based upon Avimor's reconsideration brief and the record in this matter.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this *12th* day of July 2007.

Commissioner Kjellander
out of the office.
PAUL KJELLANDER, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


MACK A. REDFORD, COMMISSIONER

ATTEST:


Barbara Barrows
Assistant Commission Secretary

O:IPC-E-06-23_dh