

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER)
COMPANY'S PETITION TO INCREASE) **CASE NO. IPC-E-07-03**
THE PUBLISHED RATE ELIGIBILITY CAP)
FOR WIND-POWERED SMALL POWER)
PRODUCTION FACILITIES; AND)
)
) **ORDER NO. 30390**
TO ELIMINATE THE 90%/110%)
PERFORMANCE BAND FOR WIND-)
POWERED SMALL POWER PRODUCTION)
FACILITIES)

Gerald Fleischman petitioned to intervene in this case on July 18, 2007. The requirements of intervention as provided in the Commission's Notice of Intervention Deadline are set forth in Rules of Procedure 71 through 75 of the Idaho Public Utilities Commission, IDAPA 31.01.01.071-.075.

FINDINGS OF FACT

We find that Mr. Fleischman's one-paragraph e-mail Petition for Intervention fails to conform to the intervention requirements of IDAPA 31.01.01.071-075. Specifically, we find that an e-mail filing in this case was not authorized by Commission Rule or Order. Rule 61. The form of the document did not comply with the requirements of Rule 62. Mr. Fleischman also failed to provide proof of service of his Petition upon all other parties. Rules 63 and 64.

We nevertheless find that based on the pleadings and other documents filed in this case, intervention by this party would serve the purposes of intervention as described by Rule 74 of the Rules of Procedure and should be granted. We apprise Mr. Fleischman, however, that insufficient or defective pleadings in future filings in this case may be returned or dismissed pursuant to Commission Rule 65. The Commission notes that its Rules of Procedure are available on the Commission's website, www.puc.idaho.gov.

ORDER

In consideration of the foregoing and as more particularly qualified above, IT IS HEREBY ORDERED that the Petition to Intervene filed by Gerald Fleischman is hereby granted.

IT IS FURTHER ORDERED that all parties in this proceeding serve all papers hereafter filed in this matter on all parties of record. This Intervenor is represented by the following for purposes of service:

Gerald Fleischman
11535 W. Hazeldale Court
Boise, ID 83713
208-376-2148
gfleisch986@hotmail.com

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 26th day of July 2007.



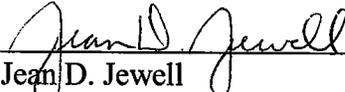
PAUL KJELLANDER, PRESIDENT

Commissioner Smith Out of the Office
MARSHA H. SMITH, COMMISSIONER



MACK A. REDFORD, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

bis/O:IPC-E-07-03_in12