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RICHARDSON & O'LEARY 2008 NOV 14 PM 2: 26
ATTORNEYS AT LAW

Molly O'Leary

IDAHO PUBLIC
UTILITIES COMMISSION

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14 November 2008

Ms. Jean Jewell
Commission Secretary
Idaho Public Utilities Commission
472 W. Washington
Boise, ID 83702

Hand Delivered

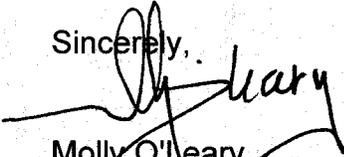
RE: IPC-E-08-20

Dear Ms. Jewell:

We are enclosing an original and seven (7) copies of **GLENN'S FERRY COGENERATION PARTNERS, L.T.S.'S MOTION TO STAY DISCOVERY** in the above-cited case.

An additional copy is included for stamping and returning to our office.

Sincerely,


Molly O'Leary
Richardson & O'Leary PLLC

Enclosure

PETER J. RICAHRDSON (ISB # 3195)
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IDAHO PUBLIC
UTILITIES COMMISSION

Attorneys for Glens Ferry Cogeneration Partners, Ltd.

BEFORE THE
IDAHO PUBLIC UTILITIES COMMISSION

IDAHO POWER COMPANY,

Complainant

vs.

GLENN'S FERRY COGENERATION
PARTNERS, LTD., a Colorado limited
partnership

CASE NO. IPC-E-08-20

GLENN'S FERRY COGENERATION
PARTNERS, LTD.'S MOTION TO
STAY DISCOVERY

COMES NOW, Glens Ferry Cogeneration Partners, Ltd. ("Respondent"/"Glens Ferry Cogeneration"), by and through undersigned counsel, and files this Motion to Stay Discovery pursuant to Rule 56 of the Idaho Public Utilities Commission's Rules of Procedure.

PROCEDURAL BACKGROUND

On October 16, 2008, Idaho Power Company filed a "Petition for Declaratory Order and Formal Complaint for Breach of Contract" (herein "Complaint") with this Commission. Idaho Power served its "First Set of Interrogatories to Glens Ferry

GLENN'S FERRY COGENERATION
MOTION TO STAY DISCOVERY

Cogeneration Partners, Ltd.” and it’s “First Request for Production of Documents to Glens Ferry Cogeneration Partners, Ltd.” on or about October 29, 2008. Glens Ferry Cogeneration filed a Motion to Dismiss for Lack of Subject Matter Jurisdiction on Monday, November 10, 2008.

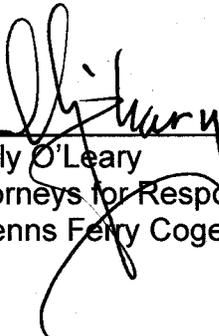
MOTION TO STAY DISCOVERY

Because Glens Ferry Cogeneration believes that the Commission lacks subject matter jurisdiction over Idaho Power’s Complaint, Glens Ferry likewise believes that the Commission is not the proper forum for conducting Discovery between the parties and, therefore, Idaho Power’s Discovery is untimely and without a legal basis.

Wherefore, Glens Ferry prays the Commission to issue an interim order staying all Discovery between the parties pending the Commission’s ruling on Glens Ferry’s Motion to Dismiss for Lack of Subject Matter Jurisdiction.

DATED this 14th day of November, 2008.

By



Molly O'Leary
Attorneys for Respondent
Glens Ferry Cogeneration Partners, Ltd.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of November, 2008, I caused a true and correct copy of the MOTION TO STAY DISCOVERY to be served by the method indicated below, and addressed to the following:

Jean Jewell
Secretary
Idaho Public Utilities Commission
472 W Washington Street
Boise ID 83702

U.S. Mail, Postage Prepaid
 Hand Delivered
 Overnight Mail
 Facsimile
 Electronic Mail

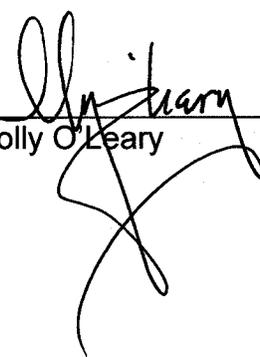
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 Overnight Mail
 Facsimile
 Electronic Mail

Signed


Molly O'Leary