

ORIGINAL

RECEIVED
2012 MAY 18 PM 2:37
IDAHO PUBLIC
UTILITIES COMMISSION

Merlyn W. Clark, ISB No. 1026
D. John Ashby, ISB No. 7228
HAWLEY TROXELL ENNIS & HAWLEY LLP
877 Main Street, Suite 1000
P.O. Box 1617
Boise, ID 83701-1617
Telephone: 208.344.6000
Facsimile: 208.954.5210
Email: mclark@hawleytroxell.com
jashby@hawleytroxell.com

Scott D. Spears
Ada County Highway District
3775 Adams Street
Garden City, Idaho 83714
Email: sspears@achd.ada.id.us

Attorneys for Ada County Highway District

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)
OF IDAHO POWER COMPANY FOR)
AUTHORITY TO MODIFY ITS RULE H)
LINE EXTENSION TARIFF RELATED TO)
NEW SERVICE ATTACHMENTS AND)
DISTRIBUTION LINE INSTALLATIONS.)
)
)

CASE NO. IPC-E-08-22

AFFIDAVIT OF DORRELL R. HANSEN
IN RESPONSE TO ORDER NO. 32532

DORRELL R. HANSEN, being first duly sworn upon oath, deposes and says:

1. I am the Project Manager/Supervisor, Capital Projects Department, of the Ada County Highway District ("ACHD"). I make this affidavit based upon my own personal knowledge.

AFFIDAVIT OF DORRELL R. HANSEN IN RESPONSE TO ORDER NO.
32532 - 1

2. ACHD occasionally demands that Idaho Power or other utilities relocate their facilities on public rights of way as a result of public road improvement projects. It does so under the common law rule that a utility must relocate its facilities on public rights-of-way at the demand of a Public Road Agency.

3. I am not aware of circumstances where private parties directly request that Idaho Power relocate facilities located within the public rights-of-way within the jurisdiction of ACHD.

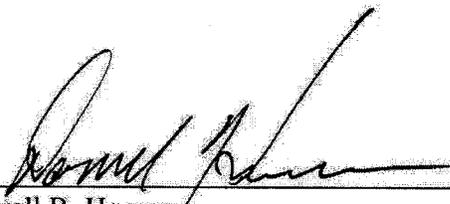
4. I do not know whether a private party can request a utility relocation within a public right-of-way, nor do I know how Idaho Power would respond to such a request.

5. I am not aware of any authority by which a private party could require that Idaho Power relocate facilities located in public rights of way.

6. If a private party were to directly request a utility relocation within a public right-of-way, and if Idaho Power were to accept that request, ACHD would have minimal involvement. ACHD's only role would be to ensure that the relocation is in compliance with ACHD Ordinance 5, ACHD Ordinance 207, and ACHD Code Section 6007, setting forth ACHD's standards that govern the location and permitting of utility facilities within the public right-of-way as set forth in Idaho Code §§ 40-210 and 40-1310(8).

Further your affiant sayeth naught.

[signature on next page]

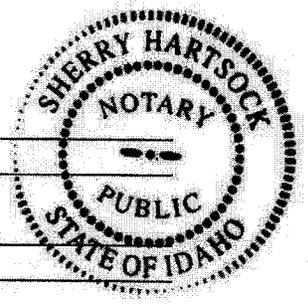


Dorrell R. Hansen

STATE OF IDAHO)
) ss.
County of Ada)

SUBSCRIBED AND SWORN before me this 18 day of May, 2012.

Name: Sherry Hartsock
Notary Public for Idaho
Residing at Gen
My commission expires 2-25-17



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18 day of May, 2012, I caused to be served a true copy of the foregoing AFFIDAVIT OF DORRELL R. HANSEN IN RESPONSE TO ORDER NO. 32532 by the method indicated below, and addressed to each of the following:

Commission Staff

Weldon B. Stutzman
Deputy Attorney General
Idaho Public Utilities Commission
472 West Washington
P.O. Box 83720
Boise, ID 83720-0074

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- E-mail: weldon.stutzman@puc.idaho.gov
- Telecopy

Building Contractors Association of Southwestern Idaho

Michael C. Creamer
GIVENS PURSLEY, LLP
601 West Bannock Street
P.O. Box 2720
Boise, ID 83701-2720

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- E-mail: mcc@givenspursley.com
- Telecopy

City of Nampa AND Association of Canyon County Highway Districts

Matthew A. Johnson
Davis F. VanderVelde
WHITE PETERSON GIGRAY ROSSMAN NYE & NICHOLS, P.A.
5700 East Franklin Road, Suite 200
Nampa, ID 83687

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- E-mail: mjohnson@whitepeterson.com
dvandervelde@whitepeterson.com
- Telecopy

The Kroger Co.

Michael L. Kurtz
Kurt J. Boehm
BOEHM, KURTZ & LOWRY
36 East Seventh Street, Suite 1510
Cincinnati, OH 45202

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- E-mail: mkurtz@BKLawfirm.com
kboehm@BKLawfirm.com
- Telecopy

Kevin Higgins
ENERGY STRATEGIES, LLC
215 South State Street, Suite 200
Salt Lake City, UT 84111

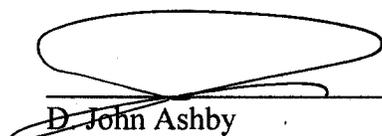
- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- E-mail: khiggins@energystrat.com
- Telecopy

Build Idaho Inc.
J. Frederick Mack
HOLLAND & HART LLP
U.S. Bank Plaza
101 South Capitol Boulevard, Suite 1400
P.O. Box 2527
Boise, ID 83701-2527

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- E-mail: fmack@hollandhart.com
- Telecopy: 208.388.6936

Lisa D. Nordstrom
Patrick A. Harrington
IDAHO POWER COMPANY
1221 West Idaho Street
P.O. Box 70
Boise, ID 83707
[Attorneys for Idaho Power Company]

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- E-mail: lnordstrom@idahopower.com
pharrington@idahopower.com
- Telecopy: 208.388.6936


D. John Ashby