

IN THE MATTER OF THE APPLICATION OF)	
IDAHO POWER COMPANY FOR A)	CASE NO. IPC-E-10-61
DETERMINATION REGARDING A FIRM)	
ENERGY SALES AGREEMENT BETWEEN)	
IDAHO POWER AND GROUSE CREEK WIND)	
PARK, LLC)	
)	
IN THE MATTER OF THE APPLICATION OF)	
IDAHO POWER COMPANY FOR A)	CASE NO. IPC-E-10-62
DETERMINATION REGARDING A FIRM)	
ENERGY SALES AGREEMENT BETWEEN)	
IDAHO POWER AND GROUSE CREEK WIND)	ORDER NO. 32236
PARK II, LLC)	

Grouse Creek QFs, the Grouse Creek QFs submit that it would [be] beneficial for the Commission to hold oral argument in these cases.” *Id.* at 5. The Projects contend that, because the relevant facts for each case are substantially similar, a single oral argument could be scheduled to address both cases. *Id.* at 2.

On April 21, 2011, Commission Staff and Idaho Power filed Answers opposing the Projects’ Motions for Oral Argument. Commission Staff maintains that the Projects’ concerns have been adequately presented and argued through written submissions. Idaho Power states that the Projects have not alleged a sufficient basis to justify oral argument in these proceedings. Idaho Power also contends that, if the Projects wanted an opportunity for oral argument, they should have made their request within their written comments as required by Commission Rule of Procedure 203.

COMMISSION FINDINGS


The Commission’s Rules of Procedure allow for the use of Modified Procedure, i.e., the consideration of issues based on written submissions (comments) rather than by hearing. Rule 201, IDAPA 31.01.01.201. If a hearing is requested, the Commission, in its discretion, may deny the request for hearing and issue its Order on the basis of the written positions before it so long as the disputes may be adequately resolved by the written submissions. *See* Rule 204, IDAPA 31.01.01.204; *Amador Stage Lines, Inc. v. United States and Interstate Commerce Comm.*, 685 F.2d 333, 335 (9th Cir. 1982); *American Public Gas Asso. v. Federal Power Comm.*, 162 U.S.App.D.C. 176, 498 F.2d 718 (1974).

In this case, the Projects not only provided initial comments but also submitted detailed, additional information and argument with their Motions for Oral Argument. As stated by the Projects in their Motions, the record in this case is lengthy. The Commission finds the evidentiary record sufficiently reflects the positions of all parties. Moreover, the Projects have not alleged that their position is not adequately presented through written submissions. Additional process in the form of oral argument to clarify the issues is unnecessary. Consequently, the Projects’ Motions for Oral Argument are denied.

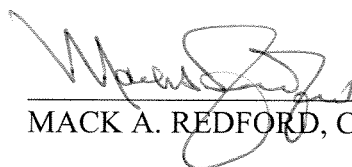
ORDER

IT IS HEREBY ORDERED that the Motions to Set Time for Oral Argument filed by Grouse Creek Wind Park, LLC and Grouse Creek Wind Park II, LLC are denied.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 27th
day of April 2011.



PAUL KJELLANDER, PRESIDENT

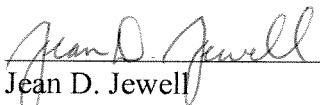


MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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