

# McDevitt & Miller LLP

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RECEIVED

2012 JAN 13 AM 10:30  
Chas. F. McDevitt  
Dean J. (Joe) Miller  
IDAHO PUBLIC UTILITIES COMMISSION

January 13, 2012

***Via Hand Delivery***

Jean Jewell, Secretary  
Idaho Public Utilities Commission  
472 W. Washington St.  
Boise, Idaho 83720

**Re: Hoku Materials, Inc. v. Idaho Power**

Dear Ms. Jewell:

Enclosed for filing in the above matter, please find an original and seven (7) copies of Hoku Materials, Inc.'s Supplemental Statement of Facts.

Kindly return a file stamped copy to me.

Very Truly Yours,

McDevitt & Miller LLP



Dean J. Miller

DJM/hh  
Encl.

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Chas. F. McDevitt (ISB No. 835)  
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IDAHO PUBLIC  
UTILITIES COMMISSION

*Attorneys for Hoku Materials, Inc.*

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

HOKU MATERIALS, INC.,  
  
Complainant,  
  
v.  
  
IDAHO POWER COMPANY,  
  
Respondent.

**Case No. IPC-E-11-28**

**SUPPLEMENTAL STATEMENT  
OF FACTS**

COMES NOW the Complainant, Hoku Materials Inc., (Hoku) by and through its counsel of record, and advises the Commission of the following facts, which have occurred since the time of Oral Argument held on January 11, 2012, but which are relevant to the Commission's consideration of this matter:

1. On today's date, Hoku transmitted to its bank, The Industrial and Commercial Bank of China, a Remittance Application instructing the bank to make a wire transfer to Idaho Power Company in the amount of \$1,896,656.26 in payment of Idaho Power's November invoice to Hoku. A true copy of the Remittance Application is attached as Exhibit 3.

2. In accordance with customary practices of the bank, Hoku anticipates that Idaho Power will receive the transferred funds on today's date.

DATED this 13 day of January, 2012.

HOKU MATERIALS, INC.

By:   
\_\_\_\_\_  
Dean J. Miller  
*Attorney for Hoku Materials, Inc.*

To: The Industrial and Commercial Bank of China, New York Branch  
725 Fifth Avenue, 20<sup>th</sup> Floor, New York, NY 10022 Tel: 212-838-7799 Fax: 212-838-5770

### REMITTANCE APPLICATION

Please make the following wire transfer for us:

Dated 1/13/2012

**Applicant's Name:**

Hoku Corporation  
Address: 1288 Ala Moana Blvd. Ste 220 Honolulu, HI 96814

**Beneficiary's Name:**

Idaho Power Company

**Beneficiary's Address:**

PO Box 447 Salt Lake City, UT 84110

**Beneficiary's Bank:**

Wells Fargo Bank

Address: \_\_\_\_\_

ABA Routing No:                     

or SWIFT Code: \_\_\_\_\_

or CHIPS UID: \_\_\_\_\_

**Beneficiary's Account No. with the Beneficiary's Bank:**

                    

**Intermediary Bank (if applicable):**

ABA Routing No: \_\_\_\_\_

or SWIFT Code: \_\_\_\_\_

or CHIPS UID: \_\_\_\_\_

**Remittance Currency & Amount:**

USD 1,895,656.26

(In Words):

One million eight hundred ninety five thousand six hundred fifty six dollars and twenty six cents

Remittance Value Date (mm/dd/yyyy): 1/13/2012

In settlement of this transaction, please

Debit my/our A/C No.:                     

Purpose of remittance/ Ref. No.: Construction costs of

Banking Charges of ICBC New York are for:  
 my/our       beneficiary's      account.

Banking Charges other than ICBC New York are for:  
 my/our       beneficiary's      account.

**Applicant's Authorized Signature(s):**

[Signature] 1/13/2012  
Authorized Signature      Date

[Signature] 1/13/2012  
Authorized Signature      Date

**FOR BANK USE ONLY**

Signature(s) verified by		Bank's Ref. No.
Customer A/C Bal. Checked by		
Callback Verification by:		
Person Contacted:		
Telephone No.	Date & Time:	
Account Posted by: (Banking Dept)		
Clearing Dept:		