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IDAHO PUBLIC
UTILITIES COMMISSION

Attorneys for the J. R. Simplot Company

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE) **CASE NO. IPC-E-13-17**
APPLICATION OF THE J. R. SIMPLOT)
COMPANY TO PURCHASE AND) J. R. SIMPLOT COMPANY'S
ASSUME OWNERSHIP OF CERTAIN) MOTION TO TAKE OFFICIAL
IDAHO POWER OWNED FACILITIES) NOTICE AND OFFER INTO
AND TO SET A PURCHASE PRICE) EVIDENCE
THEREFORE)

INTRODUCTION AND SUMMARY

COMES NOW the J. R. Simplot Company ("Simplot") and pursuant to Rules 262 and 263 of the Rules of Procedure of the Idaho Public Utilities Commission ("Commission") and submits this Motion to Take Official Notice (Rule 262) and Offer into Evidence (Rule 263) of relevant portions of the testimony and exhibits in Case no. IPC-E-11-08. As stated in Simplot's Reply to Idaho Power Company's ("Idaho Power" or the "Company") Motion to Dismiss for Lack of Subject Matter Jurisdiction ("Motion"):

[T]he underlying testimony and order in the general rate case (Docket No. IPC-E-11-08) are so intertwined with the issues raised by Idaho Power's Motion, Simplot is contemporaneously filing a motion for official notice of the relevant portions of the testimony to allow for it to be a part of the record in this proceeding.¹

¹ Simplot Reply at p. 2.

This Commission's rule of procedure, at Rule 262, provides:

When a party offers in evidence any portion of a transcript, exhibit, or other record from any other proceeding before the Commission, the portion offered must be specifically described and, if admitted, will be made an exhibit.

In addition, Rule 263 allows for the Commission to take official notice of matters of common knowledge. Therefore, Simplot offers the following specifically describe portions of testimony and exhibits from Idaho Power's last general rate case proceeding in which Rule M was adopted:

1. The opening colloquy and the public witness testimony of Mr. Stace Campbell, Tr. 10 – 25. Exhibit 4, the Application (deemed Petition) contains Simplot's first three Exhibits.
2. The direct (live) testimony, prefiled rebuttal testimony and cross examination testimony of Mr. Warren Kline on behalf of Idaho Power Company. Tr. 133 – 178, attached as Exhibit 5.
3. The direct (live) testimony, prefiled rebuttal testimony, cross examination testimony and Exhibit 52 of Mr. Mike Youngblood on behalf of Idaho Power Company. Tr. 236 – 306, attached as Exhibit 6.
4. The direct (live) testimony, prefiled direct testimony and cross examination testimony of Mr. Del Butler on behalf of the Industrial Customers of Idaho Power. Tr. 340 – 360, attached as Exhibit 7.
5. The direct (live) testimony, prefiled direct testimony, cross examination testimony and Exhibits 301 – 308 of Dr. Don Reading on behalf of the Industrial Customers of Idaho Power. Tr. 362 – 450, attached as Exhibits 8A and 8B.
6. The direct (live) testimony, prefiled direct testimony and cross examination testimony of Mr. Don Sturtevant on behalf of the Industrial Customers of Idaho Power. Tr. 451