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**JENNIFER M. REINHARDT-TESSMER**  
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August 28, 2013

**VIA HAND DELIVERY**

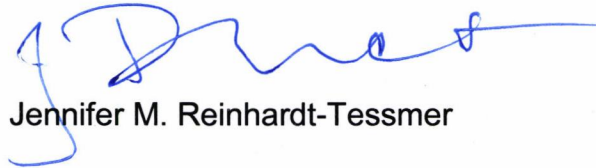
Jean D. Jewell, Secretary  
Idaho Public Utilities Commission  
472 West Washington Street  
Boise, Idaho 83702

Re: Case No. IPC-E-13-17  
J.R. Simplot Company's Petition – Idaho Power Company's Motion to Dismiss

Dear Ms. Jewell:

Enclosed for filing in the above matter are an original and seven (7) copies of Idaho Power Company's Motion to Dismiss for Lack of Subject Matter Jurisdiction.

Sincerely,



Jennifer M. Reinhardt-Tessmer

JRT:csb  
Enclosures

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Attorneys for Idaho Power Company

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE PETITION OF )  
J.R. SIMPLOT COMPANY FOR A ) CASE NO. IPC-E-13-17  
DETERMINATION OF PRICE )  
REGARDING THE PURCHASE AND ) IDAHO POWER COMPANY'S MOTION  
ACQUISITION OF CERTAIN ASSETS ) TO DISMISS FOR LACK OF SUBJECT  
OWNED BY IDAHO POWER COMPANY. ) MATTER JURISDICTION  
\_\_\_\_\_ )

COMES NOW, Idaho Power Company ("Idaho Power" or "Company"), pursuant to RP 56 and Idaho R. Civ. Pro. 12(b)(1), and hereby moves the Idaho Public Utilities Commission ("Commission") to issue an order dismissing J.R. Simplot Company's ("Simplot") Application and Request to Determine Price and Request for Modified Procedure ("Application")<sup>1</sup> for lack of subject matter jurisdiction, with prejudice.

**I. INTRODUCTION**

Simplot's Application asks the Commission to determine a sale price for certain Idaho Power facilities that Simplot wishes to purchase, but which Idaho Power refuses

<sup>1</sup> In Order No. 32870, the Commission determined it would construe Simplot's Application as a Petition, triggering an answer or response by Idaho Power.