

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 ACQUISITION OF)	NOTICE OF PETITION
CERTAIN ASSETS OWNED BY IDAHO)	
POWER COMPANY.)	ORDER NO. 32870
)	

On July 16, 2013, J.R. Simplot Company filed an Application with the Commission, pursuant to *Idaho Code* § 61-328, for approval of Simplot's purchase and acquisition of certain assets owned by Idaho Power Company. Simplot's Application states that Idaho Power provides electrical service to Simplot's potato processing facility in Caldwell, Idaho (the Plant) pursuant to Idaho Power's Schedule 19. Simplot seeks to purchase some of the Idaho Power-owned facilities beyond the point of delivery.

NOTICE OF PETITION

YOU ARE HEREBY NOTIFIED that Simplot asserts that it is closing its existing Plant and constructing a modern, state of the art potato processing facility immediately adjacent to the existing Plant. In closing the Plant, Simplot would like to purchase some of the Idaho Power-owned facilities.

YOU ARE FURTHER NOTIFIED that Simplot states it and Idaho Power agree that the net book value of the facilities that Simplot wants to purchase is approximately \$119,725. However, the parties have been unable to agree on a purchase price. Simplot has offered to purchase the facilities for \$85,910. Idaho Power has offered to sell the facilities for \$272,928.

YOU ARE FURTHER NOTIFIED that Simplot asserts, pursuant to *Idaho Code* § 61-328 and Order No. 32426, a Commission proceeding is necessary before a utility can sell or transfer ownership of any of its distribution facilities. Simplot further alleges it is the Commission's responsibility to determine the facility's value and whether the transaction is in the public interest. Filing at 2.

YOU ARE FURTHER NOTIFIED that Simplot maintains it is willing to bear the responsibility of operating, maintaining and replacing the facilities. Simplot further asserts the

sale and purchase of the Idaho Power facilities will have “absolutely no adverse impact (either on rates or service) on Idaho Power’s other ratepayers.” Filing at 7.

YOU ARE FURTHER NOTIFIED that, after reviewing Simplot’s filing as well as the applicable statutes and rules, Staff recommended that the Commission construe Simplot’s filing as a Petition and, pursuant to IPUC Rule of Procedure 57, require Idaho Power to answer the petition within 21 days of the issuance of the Commission’s Notice of Petition.

YOU ARE FURTHER NOTIFIED that all hearings and prehearing conferences in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act (ADA). Persons needing the help of a sign language interpreter or other assistance in order to participate in or to understand testimony and argument at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION
PO BOX 83720
BOISE, IDAHO 83720-0074
(208) 334-0338 (Telephone)
(208) 334-3762 (FAX)
E-mail: secretary@puc.idaho.gov

YOU ARE FURTHER NOTIFIED that the Petition and supporting workpapers have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices. The Petition and workpapers are also available on the Commission’s web site at www.puc.idaho.gov. Click on the “File Room” tab at the top of the page, scroll down to “Open Electric Cases,” and then click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission’s jurisdiction under Title 61 of the Idaho Code and specifically *Idaho Code* § 61-328. The Commission may enter any final Order consistent with its authority under Title 61.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission’s Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

YOU ARE FURTHER NOTIFIED that, once the deadline for Idaho Power's answer has passed, Staff counsel will convene an informal prehearing conference for the purpose of discussing a schedule to process this case, the service of discovery, and other issues raised by the parties.

ORDER

IT IS HEREBY ORDERED that Simplot's filing be processed as a Petition pursuant to IPUC Rules of Procedure 53 and 57.

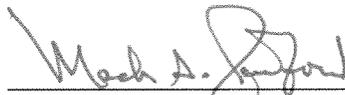
IT IS FURTHER ORDERED that Idaho Power file an answer to Simplot's Petition no later than twenty-one (21) days from the service date of this Order.

IT IS FURTHER ORDERED that, once the deadline for Idaho Power's answer has passed, Staff counsel convene an informal prehearing conference to discuss the processing of this case.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 7th day of August 2013.



PAUL KJELLANDER, PRESIDENT



MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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