

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF

FROM: DAPHNE HUANG
DEPUTY ATTORNEY GENERAL

DATE: FEBRUARY 3, 2016

SUBJECT: IDAHO POWER'S APPLICATION TO APPROVE THE TRANSFER OF ASSETS TO THE FBI, CASE NO. IPC-E-15-26

On November 25, 2015, Idaho Power Company filed an Application with the Commission for an Order approving the transfer and sale of certain assets to the United States Department of Justice, Federal Bureau of Investigation (FBI). Idaho Power asked that the Application be processed under Modified Procedure, and that the Commission's Order be issued on or before February 25, 2016.

On December 15, 2015, the Commission issued a Notice of Application and Notice of Modified Procedure. Order No. 33433. The Industrial Customers of Idaho Power (ICIP) filed a Petition to Intervene and a Motion to Extend Comment Deadline which the Commission granted, extending the comment deadline to January 26, 2016, and the reply deadline to February 2, 2016. Order No. 33443. The Commission has timely received comments from Staff and ICIP, as well as reply comments from the Company. The Commission also received comments from the FBI on February 2, 2016.

Under *Idaho Code* § 61-328(2), the Commission "shall conduct a public hearing upon the application" by an electric utility for the sale of property, as in this case. Upon completion of such hearing, this matter shall be fully submitted. Staff recommends that the Commission convene a public technical hearing so that the Commission can issue its decision in this case by February 25, 2016.

COMMISSION DECISION

Does the Commission wish to issue a Notice of Public Technical Hearing, to satisfy *Idaho Code* § 61-328(2), at which the parties may appear in person or by telephone, and respond to any questions the Commission may have regarding the parties' Comments already on file in this case?

/s/ Daphne Huang

Daphne Huang
Deputy Attorney General

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