

## DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER  
COMMISSIONER SMITH  
COMMISSIONER HANSEN  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL STAFF**

**FROM: WELDON STUTZMAN**

**DATE: DECEMBER 23, 2003**

**RE: CASE NO. IPC-E-93-10  
APPROVAL OF SETTLEMENT STIPULATION BETWEEN IDAHO  
POWER COMPANY AND NEW VILLAGER CONDOMINIUM  
ASSOCIATION**

Following an earlier pre-hearing conference, the Commission on October 23, 2003, issued a procedural order approving a schedule to process this case, including a hearing set for March 4, 2004. On December 19, 2003, Idaho Power and New Villagers Condominium Association filed a Settlement Stipulation and a Petition for Approval of Settlement and Stay of Procedural Schedule. In their joint petition, the parties indicate that the Settlement Agreement resolves their dispute, pending completion of construction work contemplated in the spring or fall of 2004. The parties asked the Commission to approve their Settlement Agreement, and also issue an order vacating the procedural schedule. After the construction work is complete, the parties can so notify the Commission and this case can then be dismissed.

Pursuant to Commission Rule of Procedure 274, the Commission "may summarily accept settlement of an essentially private dispute that has no significant implications for regulatory law or policy or for other utilities or customers upon the written request of the affected parties." The Settlement Stipulation between Idaho Power Company and New Villager Condominium Association may be summarily accepted by the Commission pursuant to this rule. Staff recommends the Commission accept and approve the Settlement Stipulation filed by Idaho Power Company and the New Villager Condominium Association, and issue an order vacating the procedural schedule previously established by the Commission.

**COMMISSION DECISION**

Should the Commission issue an order approving the Settlement Stipulation filed by the parties and vacating the procedural schedule?



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Weldon Stutzman

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