DECISION MEMORANDUM

TO:COMMISSIONER HANSEN

COMMISSIONER NELSON

COMMISSIONER SMITH

MYRNA WALTERS

TONYA CLARK

BILL EASTLAKE

DON HOWELL

STEPHANIE MILLER

RANDY LOBB

RICK STERLING

DAVID SCOTT

WORKING FILE

FROM:SCOTT WOODBURY

DATE:JANUARY 6, 1999

RE:CASE NO. IPC-E-96-14

EARTH POWER RESOURCES, INC. V. IDAHO POWER COMPANY

PROPOSED DISMISSAL WITHOUT PREJUDICE

On July 3, 1996, Earth Power filed a complaint in Case No. IPC-E-96-14 against Idaho Power.  The matter has been pending for over two years without activity.  A related case of similar vintage is pending in the District Court, also languishing without activity.  Earth Power counsel has been contacted and consents to a dismissal without prejudice.  A proposed Order is attached for the Commission’s consideration.

Commission Decision

Does the Commission agree that a dismissal is appropriate?

Does the Commission find the proposed Order acceptable?

Scott Woodbury

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