

DECISION MEMORANDUM

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

FROM: DON HOWELL

DATE: SEPTEMBER 9, 2005

SUBJECT: SCHEDULING OF THE PACIFICORP-MIDAMERICAN MERGER CASE,
CASE NO. PAC-E-05-8

On August 18, 2005, the Commission issued its Notice of Application in the merger case. The Commission's Order and Notice provided that once the deadline for intervention has passed, "the parties will informally convene to devise a recommended schedule to process this case." Order No. 29846 at 9. On September 7, 2005, the parties convened a teleconference and agreed on a proposed schedule set out below.

PROPOSED SCHEDULE

October 4, 2005	Technical workshop/conference for the parties
October 11-12, 2005	Staff public workshops in the service territory
November 2-3, 2005	Settlement conference
December 6, 2005	Staff and intervenor prefile testimony deadline
January 6, 2006	Rebuttal testimony by the Applicants
January 12-13 or 16-17, 2006	Public hearings as determined by the Commission
January 18-19, 2006	Evidentiary hearing in Boise
February 28, 2006	Commission Order

In addition to agreeing on the schedule above, the parties also agreed to answer discovery in ten business days. To facilitate the exchange of information and documents, the parties also

agreed that service among the parties should be by electronic mail with a hard copy the next business day.

The Commission's Procedural Rule 125 allows the Commission to determine if the Staff should conduct a public workshop when a utility proposes a rate increase. IDAPA 31.01.01.125. Although this merger case does not propose any rate increases, the Staff believes that public workshops may be warranted. Consequently, the Staff requests direction from the Commission whether it should conduct one or two public workshops and where those workshops should be located.

In addition to the public workshops, the Commission needs to decide whether it wishes to have public hearings for customers, when such hearings should be conducted, and the location of such hearings. As set out in the proposed schedule above, the parties recommend that the Commission consider convening public hearing(s) on either January 12-13 or 16-17, 2006 at location(s) of the Commission's choosing.

PETITIONS FOR INTERVENTION

On August 30 and 31, 2005, respectively, the Community Action Partnership Association of Idaho (CAPAI) and the International Brotherhood of Electrical Workers, Local 57 (IBEW) petitioned to intervene in this case. No objection to either intervention was filed and the Applicants indicated during the scheduling conference that they do not oppose the interventions. Consequently, does the Commission wish to grant intervention to CAPAI and IBEW, Local 57?

SUMMARY OF COMMISSION DECISIONS

1. Does the Commission adopt the schedule proposed by the parties?
2. Does the Commission wish to direct the Staff to conduct public workshops? If so, how many and where?
3. Does the Commission desire to conduct public hearings in the service territory? If so, where would the Commission like to hold such hearings? Would the Commission like to conduct these hearings on January 12-13 or 16-17, 2006?
4. Does the Commission desire to grant intervention to CAPAI and IBEW?
5. Does the Commission approve the use of electronic mail for service among the parties followed by one hard copy? The parties would still require the requisite number of paper copies with the Commission Secretary.



Don Howell