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Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE JOINT)
APPLICATION OF MIDAMERICAN) CASE NO. PAC-E-05-8
ENERGY HOLDINGS COMPANY (MEHC))
AND PACIFICORP DBA UTAH POWER &) MOTION FOR APPROVAL
LIGHT COMPANY FOR AN ORDER) OF STIPULATION
AUTHORIZING MEHC TO ACQUIRE)
PACIFICORP)
_____)**

COMES NOW the Commission Staff, the Joint Applicants (MidAmerican Energy Holdings Company and PacifiCorp) and the other parties¹ to the settlement Stipulation and respectfully request that the Commission accept the attached settlement Stipulation. The parties assert the settlement Stipulation and the accompanying Commitments are reasonable and in the public interest.

BACKGROUND

On July 15, 2005, MidAmerican Energy Holdings Company (“MidAmerican”) and PacifiCorp dba Utah Power & Light Company (“PacifiCorp”) filed a Joint Application requesting that the Commission authorize MidAmerican to acquire all of the outstanding common stock of PacifiCorp. If approved, PacifiCorp would become an indirect, wholly-owned

¹ The other signatories to the Stipulation include: J.R. Simplot Company, Community Action Partnership Association of Idaho, Idaho Irrigation Pumpers Association, and Monsanto. As noted in the Stipulation, Idaho Power Company does not oppose the settlement of this matter or the terms of the Stipulation. The IBEW Local 57 did participate in the settlement discussions and does not plan to testify in opposition to the Joint Application.

subsidiary of MidAmerican. The Commission issued its Notice of Application in this docket on August 18, 2005.

Pursuant to the Commission's scheduling Order No. 29867, the parties held an initial settlement conference on November 2, 2005. An additional settlement conference was convened on December 8, 2005. Order No. 29924. The settlement discussions have been open to all parties to this docket. As a result of these settlement discussions, most of the parties agreed to settle this matter conditioned upon general and specific commitments made by the Joint Applicants. These commitments bind the Joint Applicants and other named entities.

As a result of the settlement negotiations, the parties whose signatures appear on the signature pages of the Stipulation have reached settlement regarding the issues in this proceeding. The Stipulation parties submit that the terms of the Stipulation and the accompanying Commitments are just and reasonable and in the public interest. The parties further maintain that the Commitments satisfy the statutory standard for MidAmerican's acquisition of PacifiCorp set out in *Idaho Code* § 61-328.

Staff and Intervenor testimony is due December 20, 2005. Rebuttal testimony from the Applicants is due January 9, 2006. At a minimum, the Staff and the Applicants will file testimony in support of the settlement Stipulation. The parties to the Stipulation stand ready to support the Stipulation at the Commission's technical hearing scheduled for January 17, 2006.

PRAYER

The parties to the Stipulation respectfully request that the Commission grant this Motion and accept the settlement Stipulation in its entirety. Consistent with the Commission's Rules 274 through 276 the parties stand ready to support the Stipulation.

RESPECTFULLY SUBMITTED this 16th day of December 2005.



Donald L. Howell, II
Deputy Attorney General

bls/N:PAC-E-05-08_dh2_Motion Stipulation

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 16TH DAY OF DECEMBER 2005, FILED THE FOREGOING **MOTION FOR APPROVAL OF STIPULATION; STIPULATION; AND COMMITMENTS**, IN CASE NO. PAC-E-05-8, AND SERVED ELECTRONICALLY TO THE FOLLOWING¹:

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¹ Hard copies will be mailed to the parties on December 18, 2005.

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