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IDaho PUBLIC UTILITIES COMMISSION

June 21, 2006

Jean D. Jewell
Commission Secretary
Idaho Public Utilities Commission
472 W. Washington
Boise, ID 83702

PAC-E-06-08

Re: Application of PacifiCorp dba Rocky Mountain Power
for Approval of a Stipulation with Nu-West Industries

Dear Ms. Jewell:

Please find enclosed for filing an original and 9 copies of PacifiCorp's Application for approval of a stipulation by and between PacifiCorp and Nu-West Industries regarding a revision in rates under Electric Service Schedule No. 401.

PacifiCorp requests that the enclosed application be processed under modified procedure pursuant to Rule 201 through 204 of the Commission's Rules of Procedure. PacifiCorp also requests that the Application be processed on a schedule that will permit an effective date of September 1, 2006 for revised Schedule No. 401 and an effective date of January 1, 2007 for revised Schedule Nos. 10 and 400. In the event that an order cannot be reached before September 1, 2006, PacifiCorp requests that the revised Schedule No. 401 become effective September 1, 2006 subject to refund at the time of the Commission's final order.

All formal correspondence regarding this Application should be addressed to:

Brian Dickman
Dean Brockbank
PACIFICORP
201 South Main, Suite 2300
Salt Lake City, Utah 84111
Telephone: (801) 220-4975
Fax: (801) 220-3116
Email: brian.dickman@pacificorp.com
Email: dean.brockbank@pacificorp.com

James M. Van Nostrand
STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
Portland, OR 97204
Telephone: (503) 294-9679
Fax: (503) 220-2480
Email: jmvannostrand@stoel.com

Jean D. Jewell
June 21, 2006
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Communications regarding discovery matters, including data requests issued to PacifiCorp, should be addressed to:

By E-mail (preferred): datarequest@pacificorp.com

By Fax: (503) 813-6060

By regular mail: Data Request Response Center
PacifiCorp
825 NE Multnomah St., Suite 300
Portland, OR 97232

Informal inquiries may be directed to Brian Dickman, Manager, Idaho Regulatory Affairs at (801) 220-4975.

Thank you for your assistance with this filing.

Very truly yours,



D. Douglas Larson
Vice President, Regulation

cc: Service List

Enclosures

Mark C. Moench
Senior Vice President and General Counsel
PacifiCorp, dba Rocky Mountain Power
201 South Main, Suite 2300
Salt Lake City, Utah 84111
Telephone: (801) 220-4459
Fax: (801) 220-3116

2006
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PUBLIC UTILITIES COMMISSION

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

In the Matter of the Application of PacifiCorp,
dba Rocky Mountain Power for Approval of a
Stipulation with Nu-West Industries

Case No. PAC-E-06-08

APPLICATION OF PACIFICORP

PacifiCorp, dba Rocky Mountain Power (“PacifiCorp” or the “Company”) hereby applies to the Commission for approval of a stipulation (“Stipulation”) entered into by and between PacifiCorp and Nu-West Industries (“Nu-West”) regarding a proposed adjustment to rates as specified in Electric Service Schedule No. 401. In support of this Application, PacifiCorp states as follows:

1. PacifiCorp is authorized to do and is doing business in the state of Idaho. PacifiCorp provides retail electric service to approximately 64,000 customers in the state of Idaho and, as to such service, is subject to the jurisdiction of the Commission.
2. Nu-West is a Delaware corporation conducting business at facilities for the production of phosphate fertilizer located at Soda Springs, Idaho.
3. Communications regarding this Application should be addressed to:

Brian Dickman
Dean Brockbank
PACIFICORP
201 South Main, Suite 2300
Salt Lake City, Utah 84111

Telephone: (801) 220-4975
Fax: (801) 220-3116
Email: brian.dickman@pacificorp.com
Email: dean.brockbank@pacifiCorp.com

and to:

James M. Van Nostrand
STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
Portland, OR 97204
Telephone: (503) 294-9679
Fax: (503) 220-2480
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4. A copy of the Stipulation is attached to this Application.
5. The electric service agreement currently governing electric service to Nu-West under Schedule No. 401 ("Existing Agreement") was approved by the Commission in Order No. 29940 and terminates effective December 31, 2010. The Existing Agreement states that Commission-authorized tariff rate changes, effective semi-annually each July 1 and January 1, apply to service under Schedule No. 401. In a departure from the terms of the Existing Agreement, Nu-West has agreed to allow for the rate adjustment proposed in the Stipulation to be effective September 1, 2006, subject to Commission approval. Future Commission-authorized adjustments are anticipated to be made according to the terms of the Existing Agreement.
6. On June 21, 2006, the Company submitted the Revised Tariff Schedule No. 401 in a separate application to revise Electric Service Schedule Nos. 10, 400, and 401, reflecting new rates for Nu-West pursuant to the Stipulation. The Company requested an effective date of September 1, 2006 for the revision to Schedule No. 401.

7. PacifiCorp requests that this Application be processed under modified procedure pursuant to Rules 201 through 204 of the Commission's Rules of Procedure. PacifiCorp also requests that the Application be processed on a schedule that will permit an effective date of September 1, 2006. In the event that an order cannot be reached before September 1, 2006, PacifiCorp requests that the revised Schedule No. 401 become effective September 1, 2006 subject to refund at the time of the Commission's final order.

WHEREFORE, PacifiCorp respectfully requests that the Commission process this Application under modified procedure and approve the Stipulation dated June 9, 2006.

DATED: June 19, 2006.

Respectfully submitted,

By 

Mark C. Moench
Senior Vice President and General Counsel
PacifiCorp, dba Rocky Mountain Power

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of June, 2006, I caused to be served, via U.S. mail, a true and correct copy of the foregoing document to the following:

Conley E. Ward
Givens Pursley LLP
601 W. Bannock St. (83702)
P.O. Box 2720
Boise, ID 83701-2720

Tim Buller
Electrical Engineer
Agrium U.S. Inc.
3010 Conda Road
Soda Springs, Idaho 83276



Peggy Ryan
Supervisor, Regulatory Administration

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PUBLIC UTILITIES COMMISSION

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Attorneys for PacifiCorp dba
Rocky Mountain Power

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE)
APPLICATION OF PACIFICORP DBA)
ROCKY MOUNTAIN POWER FOR) CASE NO. PAC-E-06-08
AUTHORITY TO INCREASE ITS)
SCHEDULE NO. 401 RATES FOR) STIPULATION
ELECTRIC SERVICE TO ELECTRIC)
CUSTOMERS IN THE STATE OF)
IDAHO)**

This stipulation ("Stipulation") is entered into by and between PacifiCorp, doing business as Rocky Mountain Power ("PacifiCorp" or the "Company") and Nu-West Industries, Inc. ("Nu-West") (collectively referred to as the "Parties") as of June 7, 2006.

I. INTRODUCTION

1. The terms and conditions of this Stipulation are set forth herein. The Parties agree that this Stipulation represents a fair, just and reasonable compromise of the issues raised between the Parties and that this Stipulation is in the public interest. The Parties, therefore, recommend that the Public Utilities Commission ("Commission") approve the Stipulation and all of its terms and conditions. Reference IDAPA 31.01.01.271, 274.

II. BACKGROUND

2. Concurrently with the filing of this Stipulation, PacifiCorp is filing an Application seeking authority to increase the Company's base rates for electric service under Electric Service Schedule No. 401 by \$150,000 annually, an increase of approximately 4%.

3. In anticipation of filing the Application, representatives of PacifiCorp and Nu-West met several times pursuant to IDAPA 31.01.01.271 and engaged in settlement discussions with a view toward resolving the issues raised in PacifiCorp's Application.

Based upon the settlement discussions between the Parties, as a compromise of the positions in this proceeding, and for other consideration as set forth below, the Parties agree to the following terms:

III. TERMS OF THE STIPULATION

4. PacifiCorp shall be allowed to implement a revised Electric Service Schedule No. 401 ("Revised Tariff Schedule"), designed to recover \$150,000 in additional annual revenue, representing a rate increase of approximately 4%. Notwithstanding the adjustment language set forth in Section 4.2 of the Electric Service Agreement between the Parties, dated October 31, 2005, and notwithstanding the Semi-Annual Adjustment clause set forth in Schedule No. 401, such Revised Tariff Schedule shall become effective as of September 1, 2006. The Parties agree to support the attached Exhibit A, the revised Electric Service Schedule No. 401, which reflects the Revised Tariff Schedule.

5. The Parties agree that this Stipulation represents a compromise of the positions of the Parties in this proceeding. Other than the above referenced positions and any testimony filed in support of the approval of this Stipulation, and except to the extent necessary for a Party to explain before the Commission its own statements and positions with respect to the Stipulation, all negotiations relating to this Stipulation shall not be admissible as evidence in this or any other proceeding regarding this subject matter.

6. The Parties submit this Stipulation and Exhibit A to the Commission and recommend approval in its entirety pursuant to IDAPA 31.01.01.274. The Parties shall support this Stipulation and the Application before the Commission, and neither Party shall appeal any portion of this Stipulation or Order approving the same. If this Stipulation is challenged by any person not a party to the Stipulation, the Parties to this Stipulation reserve the right to cross-examine witnesses and put on such case as they deem appropriate to respond fully to the issues presented, including the right to raise issues that are incorporated in the settlement embodied in this Stipulation. Notwithstanding this reservation of rights, the Parties to this Stipulation agree that they will continue to support the Commission's adoption of the terms of this Stipulation and approval of the Application.

7. In the event the Commission rejects any part or all of this Stipulation, or imposes any additional material conditions on approval of this Stipulation, each Party reserves the right, upon written notice to the Commission and the other Parties to this proceeding, within 15 days of the date of such action by the Commission, to withdraw from this Stipulation. In such case, no Party shall be bound or prejudiced by the terms of this Stipulation, and each Party shall be entitled to seek reconsideration of the Commission's order, file testimony as it chooses, cross-examine witnesses, and do all other things necessary to put on such case as it deems appropriate.

8. The Parties agree that this Stipulation is in the public interest and that all of its terms and conditions are fair, just and reasonable.

9. No Party shall be bound, benefited or prejudiced by any position asserted in the negotiation of this Stipulation, except to the extent expressly stated herein, nor shall this Stipulation be construed as a waiver of the rights of any Party unless such rights are expressly waived herein. Execution of this Stipulation shall not be deemed to constitute an acknowledgment by any Party of the validity or invalidity of any particular method, theory or principle of regulation or cost recovery. No Party shall be deemed to have agreed that any method, theory or principle of regulation or cost recovery employed in arriving at this Stipulation is appropriate for resolving any issues in any other proceeding in the future. No findings of fact or conclusions of law other than those stated herein shall be deemed to be implicit in this Stipulation.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

10. The obligations of the Parties under this Stipulation are subject to the Commission's approval of this Stipulation in accordance with its terms and conditions and, if judicial review is sought, upon such approval being upheld on appeal by a court of competent jurisdiction.

Respectfully submitted this 9th day of June, 2006.

PacifiCorp

By Mark Muench
Mark Muench
Attorney for PacifiCorp

Nu-West Industries, Inc.

By Franklin G. Lee
Its Franklin G. Lee for
Conley E. Ward
Attorney for Nu-West Industries, Inc.



UTAH POWER & LIGHT COMPANY
ELECTRIC SERVICE SCHEDULE NO. 401
STATE OF IDAHO

Special Contract

PURPOSE: The purpose of this Schedule is to describe generally the terms and conditions provided by the Company pursuant to a Special Contract approved by the Idaho Public Utility Commission.

Nu-West Industries Inc.
Special Contract Dated October 31, 2005.

Availability
This schedule is available for firm retail service of electric power and energy delivered for the operations of Nu-West Industries' facilities located at Soda Springs, Idaho, as provided in the Power Supply Agreement between the two parties.

Term
January 1, 2006 through December 31, 2010.

Monthly Charge

	May – October	November - April
Customer Charge - \$ per Month	\$ 293.00	\$ 293.00
Demand Charge - \$ per kW-month	\$ 11.61	\$ 9.37
Energy Charge - \$ per MWh		
HLH Monday through Friday	\$ 23.98	\$ 19.94
HE0800 to HE2300 MPT		
LLH All other hours and Holidays	\$ 17.99	\$ 17.99

Semi-Annual Adjustment: The charges specified in this Section shall be adjusted semi-annually effective July 1, 2006 and January 1, 2007 and each July 1 and January 1 thereafter, so that they equal the tariff rates. This shall be the sole and exclusive means of adjustment to the unit charges contained herein.

Tariff Rates: The Commission approved rates applicable to Nu-West, including, but not limited to, customer charges, demand charges, energy charges, surcharges, and credits, as specified in Idaho Electric Service Schedule No. 401 or its successor.

Submitted Under XXXXX
Originally Submitted Under Advice Letter 05-04