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Attorney for Commission Staff

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE PETITION OF )  
PACIFICORP DBA ROCKY MOUNTAIN ) CASE NO. PAC-E-06-10  
POWER TO DETERMINE THE )  
APPROPRIATE FUNDING STRUCTURE OF ) STAFF MOTION TO POSTPONE  
ITS SCHEDULE 21 (LOW INCOME ) THE FILING OF TESTIMONY  
WEATHERIZATION PROGRAM) )**

COMES NOW the Staff of the Idaho Public Utilities Commission by and through its attorney of record, Donald L. Howell II, Deputy Attorney General, and respectfully submits this Motion to Postpone the Filing of Testimony currently scheduled for December 20, 2006. As set out in greater detail below, the parties have agreed in principle to settle this case. The postponement will allow the parties to execute a settlement agreement thereby avoiding a contested evidentiary hearing scheduled for February 2, 2007.

**BACKGROUND**

On September 1, 2006, PacifiCorp dba Rocky Mountain Power filed a petition seeking a declaratory order that the Company's current funding structure for its Low Income Weatherization Program contained in tariff Schedule 21 is just and reasonable. On September 22, 2006, the Community Action Partnership Association of Idaho (CAPAI) petitioned to intervene. On October 3, 2006, the Commission granted intervenor status to CAPAI. On November 1, 2006, the Commission issued a Notice of Hearing scheduling this matter for hearing. Order No. 30169.

As set out in Order No. 30169, the Staff and CAPAI were to file their direct testimony on December 20, 2006 and rebuttal testimony of each other on January 10, 2007.

STAFF MOTION TO POSTPONE  
THE FILING OF TESTIMONY

PacifiCorp is scheduled to file its rebuttal testimony on January 24, 2007 with the technical hearing scheduled for February 2, 2007 in Boise. Order No. 30169 at 2.

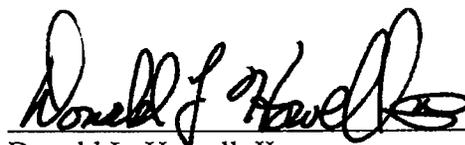
### THE MOTION

On December 14, 2006, the parties agreed in principle to settle this case. The parties anticipate filing the executed settlement agreement about January 3, 2007. Based upon the settlement, Staff and CAPAI respectfully request that the Commission postpone the December 20 deadline for Staff and CAPAI to prefile their testimony. Instead, Staff and CAPAI request permission to file their testimony in support of the settlement on January 10, 2007 – the date currently reserved for the filing of Staff/Intervenor rebuttal testimony. No other change to the schedule is necessary.

The parties to this case recommend that the Commission retain the existing February 2, 2007 hearing date and use the hearing to examine the proposed settlement.

In summary, the Staff and CAPAI respectfully request that their deadline for prefile testimony in support of the settlement be postponed from December 20, 2006 until January 10, 2007.

Respectfully submitted this 18<sup>th</sup> day of December 2006.



Donald L. Howell, II  
Deputy Attorney General

bls/N:PAC-E-06-10\_dh\_Motion

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 18<sup>th</sup> DAY OF DECEMBER 2006, SERVED THE FOREGOING **STAFF MOTION TO POSTPONE THE FILING OF TESTIMONY**, IN CASE NO. PAC-E-06-10, BY E-MAILING A COPY THEREOF, TO THE FOLLOWING:

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