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IDAHO PUBLIC UTILITIES COMMISSION

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*Attorneys for Rocky Mountain Power*

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE  
APPLICATION OF ROCKY  
MOUNTAIN POWER FOR  
APPROVAL OF CHANGES TO ITS  
ELECTRIC SERVICE SCHEDULES  
AND A PRICE INCREASE OF \$27.7  
MILLION, OR APPROXIMATELY  
13.7 PERCENT**

**CASE NO. PAC-E-10-07**

**SECOND AMENDED  
NOTICE OF APPEAL**

**ROCKY MOUNTAIN POWER  
APPELLANT**

**V.**

**IDAHO PUBLIC UTILITIES**

COMMISSION )  
RESPONDENT )  
 )

TO: THE ABOVE NAMED RESPONENT, IDAHO PUBLIC UTILITIES COMMISSION (HEREINAFTER "IPUC") AND THE PARTY'S ATTORNEY, Mr. Don Howell, Idaho Public Utilities Commission, 472 W. Washington, Boise, ID 83702 AND THE SECRETARY OF THE IPUC, Jean D. Jewell.

NOTICE IS HEREBY GIVEN THAT:

1. Designation of Orders Appealed From. The above named Appellant, Rocky Mountain Power, appeals against the above named Respondent, to the Idaho Supreme Court from ORDER NO. 32224 entered in the above proceeding on April 18, 2011, Chairman Smith presiding, and subsequent ERRATA TO ORDER No. 32224 entered on April 20, 2011; ORDER NO. 32196 entered in the above proceeding on February 28, 2011, Chairman Smith presiding; INTERLOCUTORY ORDER NO. 32151, Chairman Smith presiding, entered in the above proceeding on December 27, 2010, and subsequent ERRATA TO INTERLOCUTORY ORDER No. 32151 entered on December 28, 2010.
2. Jurisdiction. Rocky Mountain Power has a right to appeal to the Idaho Supreme Court, and the orders described in paragraph 1 above are appealable orders under and pursuant to Article V, Section 9 of the Idaho Constitution, I.C. § 61-627, Rule 4, I.A.R and Rule 11(e), I.A.R.
3. Preliminary Statement of Issues. Appellant intends to assert on appeal that:
  - a. The IPUC erred when it ruled that 27% of the capacity of Rocky Mountain Power's Populus to Terminal transmission line is not currently used and useful for the provision of electric utility service to Idaho customers.

- b. The IPUC erred when it excluded 27% of Rocky Mountain Power's investment in the Populus to Terminal transmission line from rate base for purposes of setting electric utility rates for Rocky Mountain Power's Idaho customers.
4. Transcript. Appellant designates a partial transcript consisting of the transcript of hearings held on November 30, 2010, December 1, 2010 and December 2, 2010, to wit:

Volume #	Witness	Pages
2	A. Richard Walje	76 - 273
3	Bruce N. Williams Samuel C. Hadaway	311 - 360 361 - 437
4	Darrell T. Gerrard	694 - 820
5	Erich D. Wilson Michael P. Gorman Gregory N. Duvall	822 - 849 850 - 913 1010 - 1036
6	Peter C. Eelkema Steven R. McDougal	1092 - 1129 1130 - 1278
7	Dennis E. Peseau	1463 - 1511
8	Greg R. Meyer Donald W. Schoenbeck	1636 - 1680 1681 - 1711
9	Randy Lobb Donn English	1928 - 1968 1993 - 2024
10	Steven R. McDougal Gregory N. Duvall Darrell T. Gerrard	2166 - 2171 2172 - 2182 2182 -2197

5. Record. Appellant designates the following to be included in the record on appeal:
- a. The Application of Rocky Mountain Power dated May 28, 2010.
  - b. Protective Agreement dated June 4, 2010.
  - c. ORDER No. 32010 granting *Pro Hac Vice* Admission for Daniel Solander dated June 23, 2010.
  - d. ORDER No. 32009 granting *Pro Hac Vice* Admission for Paul J. Hickey dated June 23, 2010.
  - e. ORDER No. 32011 granting *Pro Hac Vice* Admission for Mark Moench dated June 23, 2010.

- f. ORDER No. 32098, “Notice of Further Scheduling – Notice of Technical Hearing (Economic Valuation of Monsanto Interruptible Products)”, dated October 22, 2010.
- g. Rocky Mountain Power Witness List dated November 23, 2010.
- h. Rocky Mountain Power *Compliance Filing, Revised Tariff Schedules*, dated December 27, 2010.
- i. INTERLOCUTORY ORDER No. 32151 dated December 27, 2010.
- j. Rocky Mountain Power *Supplemental Compliance Filing, Revised Tariff Schedules*, dated December 28, 2010.
- k. ERRATA TO INTERLOCUTORY ORDER No. 32151 dated December 28, 2010.
- l. ORDER No. 32196 – *Confidential* - dated February 28, 2011.
- m. Rocky Mountain Power *Compliance Filing, Revised Tariff Schedule 400*, dated March 7, 2011.
- n. Rocky Mountain Power *Cross-Petition for Clarification and Reconsideration* dated March 18, 2011.
- o. Rocky Mountain Power *Petition for Clarification and Reconsideration* dated March 21, 2011.
- p. Monsanto *Answer to Rocky Mountain Power’s Petition for Clarification and Reconsideration and Cross Petition for Reconsideration* dated March 28, 2011.
- q. *Staff’s Answer to Rocky Mountain Power’s Petition for Clarification and Reconsideration* dated March 28, 2011.
- r. ORDER No. 32219 dated April 6, 2011.

- s. ORDER No. 32220 dated April 7, 2011.
  - t. ORDER No. 32224 dated April 18, 2011.
  - u. ERRATA TO ORDER No. 32224 dated April 20, 2011.
6. Exhibits. Appellant designates the following exhibits admitted in proceedings before the IPUC to be copied and sent to the Supreme Court:
- a. Rocky Mountain Power Exhibit 1 – Revenue Requirement Summary
  - b. Rocky Mountain Power Exhibit 2 – Revenue Requirement
  - c. Rocky Mountain Power Exhibit 4 – LGAR Calculation
  - d. Rocky Mountain Power Exhibit 33 – Gateway Map
  - e. Rocky Mountain Power Exhibit 34 – Populus to Terminal Map
  - f. Rocky Mountain Power Exhibit 35 – DOE Congestion on Western Paths Map
  - g. Rocky Mountain Power Exhibit 36 – Incentive Rate Order
  - h. Rocky Mountain Power Exhibit 37 – Populus to Terminal Cost Summary
  - i. Rocky Mountain Power Exhibit 38 – Summary of Bidder Evaluations
  - j. Rocky Mountain Power Exhibit 39 – Project Photos
  - k. Rocky Mountain Power Exhibit 65 – Path C Transfer
  - l. Rocky Mountain Power Exhibit 66 – Alternative Cost Options
  - m. Rocky Mountain Power Exhibit 67 – Foundational Project Map
  - n. Rocky Mountain Power Exhibit 78 – Revenue Requirement Summary
  - o. Rocky Mountain Power Exhibit 79 – Results of Operations Summary
  - p. Rocky Mountain Power Exhibit 80 – Updated LGAR Calculation
  - q. Monsanto Exhibit 221 – Proposed Energy Gateway
  - r. Monsanto Exhibit 222 – Proposed Gateway West

- s. Monsanto Exhibit 223 – Proposed Gateway South
  - t. Monsanto Exhibit 224 – Idaho MEHC Acquisition Order No. 29973, pg 6-7
  - u. Monsanto Exhibit 225 – Comparative Investment per Mile
  - v. Monsanto Exhibit 226 – Western U.S. Competing Transmission Lines Map
  - w. Monsanto Exhibit 227 – PacifiCorp Response to Monsanto Data Request 4.5
  - x. Monsanto Exhibit 234 – as redacted
  - y. Idaho Public Utility Commission Order No. 30657, In the Matter of the Application of Rocky Mountain Power for a Certificate of Public Convenience and Necessity Authorizing Construction of the Populus-to-Terminal 345kV Transmission Line Project, Case No. PAC-E-08-03 (October 10, 2008), as referenced in the Direct Testimony of Mr. John A. Cupparo.
7. Sealed Record. Portions of IPUC Order No. 32196 and portions of the designated record have been designated as confidential by the IPUC.
8. Certification. The undersigned counsel for Appellant hereby certifies that:
- a. Service of the Notice of Appeal has been made upon the reporter of the administrative proceeding, Hedrick Court Reporting.
  - b. The estimated fees for preparation of the designated portions of the transcript have been paid.
  - c. The estimated fees for preparation of the agency's record have been paid.
  - d. All appellate filing fees have been paid.
  - e. That service has been made upon all other parties required to be served pursuant to Rule 20, I.A.R.

DATED this 15<sup>th</sup> day of June, 2011.

ROCKY MOUNTAIN POWER



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## CERTIFICATE OF SERVICE

I hereby certify that on this 15<sup>th</sup> day of June, 2011, I caused to be served, a true and correct copy of Rocky Mountain Power's *Second Amended Notice of Appeal* to the following:

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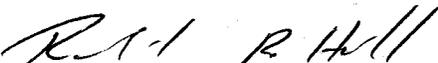
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