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LOUIS F. RACINE (1917-2005)
WILLIAM D. OLSON, OF
COUNSEL

January 13, 2011

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

OVERNIGHT MAIL

Re: Case No. PAC-E-10-7

Dear Ms. Jewell:

Please find enclosed for filing the original and nine copies of Monsanto's *Motion for Leave to File Sur-Rebuttal Testimony and the Sur-Rebuttal Testimony of Brian C. Collins and Kathryn E. Iverson*. Also enclosed is a CD.

Thank you for your assistance.

Sincerely,



RANDALL C. BUDGE

RCB:rr

Enclosures

c: Service List (w/encls.)

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Attorneys for Intervenor Monsanto Company

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)
ROCKY MOUNTAIN POWER FOR APPROVAL) **Case No. PAC-E-10-07**
OF CHANGES TO ITS ELECTRIC SERVICE)
SCHEDULES AND A PRICE INCREASE OF)
\$27.7 MILLION, OR APPROXIMATELY)
13.7 PERCENT)
_____)

MOTION FOR LEAVE TO FILE SUR-REBUTTAL TESTIMONY

COMES NOW Intervenor, Monsanto Company (“Monsanto”), through counsel, and hereby moves the Commission pursuant to Rules 56 and 256, IPUC Rules of Procedure, IDAPA 31.01.01 for an Order granting Monsanto leave to file Sur-Rebuttal Testimony of witnesses Kathryn E. Iverson and Brian C. Collins filed herewith, for the purpose of responding to and rebutting Rocky Mountain Power’s Rebuttal Testimony in Phase II of this matter regarding valuation of Monsanto’s interruptible products filed on or about January 14, 2011, by witnesses Paul H. Clements, Gregory N. Duvall and Steven R. McDougall. In support of this Motion Monsanto states and represents as follows:

1. Rocky Mountain Power (“RMP” or “Company”) filed Supplemental Testimony of Paul H. Clements on September 30, 2010. In response to Monsanto’s October 1, 2010 Motion to Dismiss or Strike the Supplemental Testimony of Paul H. Clements, the Commission issued *Notice of Further Scheduling, Notice of Technical Hearing, Order No. 32098*, establishing a Phase II hearing on the separated issue of the economic valuation of Monsanto interruptible

products with the following schedule:

- December 22, 2010: Staff/Intervenor Direct Testimony prefile deadline
- January 14, 2011: Rebuttal Testimony prefile deadline
- February 1(2), 2011: Technical hearing (economic valuation of Monsanto interruptible products.)

2. On December 22, 2010, Monsanto and Staff filed their Direct Testimony. The Direct Testimony of Monsanto was submitted by witnesses Kathryn E. Iverson and Brian C. Collins addressing the issues presented in the Supplemental Testimony of Paul H. Clements.

3. On January 14, 2011, the Company filed Rebuttal Testimony and Exhibits of witnesses Paul H. Clements, Gregory N. Duvall and Steven R. McDougall. Monsanto also filed Rebuttal Testimony of Kathryn E. Iverson and Brian C. Collins, rebutting the Direct Testimony of Staff witness Hessing.

4. Upon reviewing the Company's Rebuttal Testimony and Exhibits, Monsanto has prepared and files herewith Sur-Rebuttal Testimony of witnesses Collins and Iverson for the purpose of addressing certain incorrect statements and misinformation submitted by the Company's rebuttal witnesses. Monsanto's Sur-Rebuttal Testimony is filed eight days in advance of the technical hearing and Monsanto counsel notified the Company's counsel several days prior that Monsanto would be filing Sur-Rebuttal Testimony.

5. The early filing of Monsanto's Sur-Rebuttal Testimony provides the Company with reasonable and adequate time to review the same and prepare for the technical hearing. Further, the Sur-Rebuttal Testimony will present a complete and accurate record and clarify the issues presented to assist the Commission in its decision-making process. Further, the Sur-Rebuttal Testimony is expected to substantially shorten and simplify the hearing by reducing cross-examination of the Company's witnesses.

6. Since the Commission Scheduling Order No. 32098 and the IPUC's Rules of Procedure do not specifically provide for nor preclude the filing of Sur-Rebuttal Testimony, this Motion is made for the purpose of securing leave and Order from the Commission allowing the filing of Monsanto's Sur-Rebuttal Testimony.

WHEREFORE, Monsanto respectfully requests that the Commission enter an Order prior to at the commencement of the hearing granting Monsanto leave to present its Sur-Rebuttal

Testimony and exhibits of witnesses Iverson and Collins as pre-filed and served on January 24, 2011.

RESPECTFULLY SUBMITTED this 24th day of January, 2011.

RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED

By  _____
RANDALL C. BUDGE

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Attorneys for Intervenor Monsanto Company

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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

PROOF OF SERVICE

I HEREBY CERTIFY that on this 24th day of January, 2011, I served a true, correct and complete copy of the *Motion for Leave to File Sur-Rebuttal Testimony and Sur-Rebuttal Testimony of Brian C. Collins and Kathryn E. Iverson* on behalf of Monsanto, to each of the following in the manner indicated:

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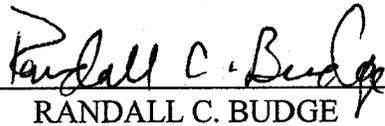
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