

**IDAHO SUPREME COURT**



**IDAHO COURT OF APPEALS**

Clerk of the Courts  
(208) 334-2210

P.O. Box 83720  
Boise, Idaho 83720-0101

JEAN JEWELL  
COMMISSION SECRETARY  
IDAHO PUBLIC UTILITIES COMM.  
VIA STATEHOUSE MAIL  
BOISE ID 83720-0074

*Sup-E-07-01*

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CLERK'S REC. & TRANS/DUE DATES SUSPENDED

Docket No. (App) AVIMOR, LLC  
34573 (Res) IDAHO PUBLIC UTILITIES COMMISSION

DC Docket #  
E-06-23

The CLERK'S RECORD/REPORTER'S TRANSCRIPT is STAYED until further notification from this office.

For the Court:  
STEPHEN W KENYON  
Clerk of the Courts

# In the Supreme Court of the State of Idaho

IN THE MATTER OF THE APPLICATION OF )  
 IDAHO POWER COMPANY FOR )  
 APPROVAL OF AN AGREEMENT )  
 BETWEEN AVIMOR, LLC AND IDAHO )  
 POWER TO PROVIDE ELECTRIC )  
 TRANSMISSION AND SUBSTATION )  
 FACILITIES TO THE AVIMOR MULTI-USE )  
 DEVELOPMENT. )

----- )  
 AVIMOR, LLC, an Idaho limited liability )  
 company, )

Appellant, )

v. )

THE IDAHO PUBLIC UTILITIES )  
 COMMISSION, )

Respondent. )

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ORDER GRANTING (SECOND)  
 MOTION FOR STAY ON  
 APPEAL

Supreme Court Docket No. 34573  
 IPUC No. E-06-23

A SECOND STATUS REPORT ON APPEAL was filed by Appellant December 19, 2007 for the reason Avimor, Idaho Power and Staff have agreed, subject to the drafting of an acceptable written stipulation between them, to calculate any periodic refund amounts that Avimor may receive using new cost information and any modifications to it that may be made by the Commission in Idaho Power's general rate case, at which time Avimor will also file a Request for Stay with the Court, respectfully asking that it grant an additional ninety (90) day stay of the appeal to allow the commission time to consider the merits of the stipulation and to decide whether to approve it. In the event the Commission approves the stipulation, Avimor will submit a motion to the Court requesting that the appeal be dismissed. No objection to stay of Appeal has been filed by Respondent. Therefore, good cause appearing,

IT HEREBY IS ORDERED that Appellant's SECOND STATUS REPORT ON APPEAL (treated by this Court as Appellant's Second Motion for Stay of Appeal) be, and hereby is, GRANTED and proceedings in this appeal shall be STAYED for a period of twenty-one (21) days, at which time counsel for the parties shall inform this Court IN WRITING whether or not this appeal will proceed.

DATED this 4<sup>th</sup> day of January 2008.

For the Supreme Court

Stephen Kenyon  
Stephen W. Kenyon, Clerk

cc: Counsel of Record  
District Court Clerk