

# In the Supreme Court of the State of Idaho

IDAHO PUBLIC  
UTILITIES COMMISSION

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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. )

IDAHO POWER COMPANY, )

Respondent, )

ORDER CONDITIONALLY  
DISMISSING APPEAL

NO. 34573

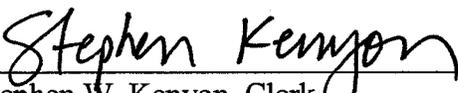
An ORDER GRATING MOTION FOR STATE OF APPEAL was entered January 31, 2008. The Order required notification in writing on or be for fourteen (14) days of the ninety (90) day suspension as to whether or not this appeal shall continue. No notice has been received; therefore, good cause appearing.

IT HEREBY IS ORDERED that this appeal be, and hereby is, CONDITIONALLY DISMISSED for the reason the Appellant has not notified this Court as required by the Court's Order of January 31, 2008; however, Appellant may file a RESPONSE to this Order, with regard to the issue of timeliness, within twenty-one (21) days from the date of this Order which shall show good cause, if any exists, why this appeal should not be dismissed.

IT FURTHER IS ORDERED that proceedings in this appeal shall be SUSPENDED pending an appropriate Order from the Court.

DATED this 5<sup>th</sup> day of May 2008

For the Supreme Court

  
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Stephen W. Kenyon, Clerk

cc: Counsel of Record  
District Court Clerk