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January 8, 2010

Via Hand Delivery

Ms. Xan Allen
Idaho Public Utilities Commission
472 W. Washington
P.O. Box 83720
Boise, ID 83720-0074

Re: Case No. IPC-E-08-22 Notice of Appeal

Dear Xan:

As requested, enclosed are the following checks for The Building Contractors Association of Southwestern Idaho's Notice of Appeal filed today in the above-referenced matter:

1. Check #5736 in the amount of \$862.50 made payable to the Idaho Public Utilities Commission for the estimated record fee on appeal (this check replaces check #9664);
2. Check #5737 in the amount of \$86.00 made payable to the Idaho Supreme Court to cover the cost of the appeal filing fee (this check replaces check #9663); and
3. Check #9667 in the amount of \$773.50 made payable to CSB Reporting for the estimated cost of the transcript for the appeal, which you will provide to Connie Bucy when she lodges the transcript with the Commission.

Please contact me if you have any questions or need additional information. Your assistance is appreciated.

Sincerely,



Michael C. Creamer

MCC:ch
Enclosures
10495-1_750561_1.DOC

RECEIVED
2010 JAN - 8 PM 4:00
IDAHO PUBLIC UTILITIES COMMISSION

Michael C. Creamer, ISB #4030
Conley E. Ward, ISB # 1683
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10495-1_747118_1.DOC

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2010 JAN -8 PM 2: 08

IDAHO PUBLIC
UTILITIES COMMISSION

Attorneys for Intervenor/Appellant The Building Contractors
Association of Southwestern Idaho

IN THE PUBLIC UTILITIES COMMISSION OF THE STATE OF IDAHO

**IN THE MATTER OF THE
APPLICATION OF IDAHO POWER
COMPANY FOR AUTHORITY TO
MODIFY ITS RULE H LINE EXTENSION
TARIFF RELATED TO NEW SERVICE
ATTACHMENTS AND DISTRIBUTION
LINE INSTALLATIONS**

CASE NO. IPC-E-08-22

NOTICE OF APPEAL

**TO: RESPONDENTS IDAHO PUBLIC UTILITIES COMMISSION AND IDAHO
POWER COMPANY:**

NOTICE IS HEREBY GIVEN THAT:

1. The above named Intervenor/Appellant The Building Contractors Association of Southwestern Idaho ("Appellant"), appeals against the above-named Respondent Idaho Public Utilities Commission ("Respondent" or "Commission") and Idaho Power Company ("Respondent" or "Company") to the Idaho Supreme Court from the Commission's final order on reconsideration Order No. 30955 entered herein on the 30th day of November, 2009 ("Order").

2. Appellant has a right to appeal to the Idaho Supreme Court, and the Order from which this appeal is taken, is an appealable final order under and pursuant to Idaho Appellate Rule 11(e) and Idaho Code § 61-629.

3. The following is a preliminary statement of the issues on appeal which Appellant presently intends to assert in the appeal, subject to modification and development as appropriate:

a. Whether the Commission's Order, eliminating a new customer's heretofore existing entitlement to a level of Company investment in distribution facilities equal to that made by the Company to serve its existing customers in the same class was arbitrary, capricious, in excess of its authority or otherwise in violation of the law.

b. Whether the Commission erred in approving amendments to the Company's line extension tariff that result in unlawfully disparate rates as among new customers and as between new customers and existing customers.

c. Whether the Commission erred in approving amendments to the Company's line extension tariff that result in discriminatory rates and charges as between existing and new customers.

d. Whether the Commission abused its discretion in failing to award intervenor funding to Appellant pursuant to Idaho Code § 61-617A and the Commission's Rules of Procedure, IDAPA 31.01.01.161-165, on the asserted grounds that Appellant did not contribute materially to the case, decision or decision making process before the Commission.

e. Appellant reserves the right to identify and raise other issues as the basis for this appeal the extent permitted by law.

4. No portion of the record has been sealed.

5. Appellant requests that the record include the entire reporter's standard transcript (as defined in Idaho Appellate Rule 25(c)) of the October 20, 2009 technical evidentiary hearing.

6. Appellant requests that the following documents be included in the agency's record in addition to those automatically included under Rule 28(b)(3) of the Idaho Appellate Rules:

Date	Description
12/10/08	Building Contractors Association of Southwestern Idaho Petition to Intervene
2/11/09	Notice of Substitution of Counsel
4/17/09	Comments of Building Contractors Association of Southwestern Idaho
4/17/09	Comments of the Commission Staff
5/1/09	Idaho Power Company Reply Comments
5/1/09	Building Contractors Association of Southwestern Idaho's Response to Comments
7/13/09	Building Contractors Association of Southwestern Idaho's Request for Consideration and Granting of Late-Filed Request for Intervenor Funding
7/22/09	Building Contractors Association of Southwestern Idaho's Petition for Reconsideration and/or in the Alternative for Clarification and Petition for Stay
7/29/09	Idaho Power Company's Answer to Petitions for Reconsideration
10/27/09	Building Contractors of Southwestern Idaho's Post-Hearing Brief
11/9/09	Building Contractors of Southwestern Idaho's Request for Intervenor Funding
10/20/09	Evidentiary Hearing Exhibit 201

10/20/09	Evidentiary Hearing Exhibit 202
10/20/09	Evidentiary Hearing Exhibit 203
10/20/09	Evidentiary Hearing Exhibit 204
10/20/09	Evidentiary Hearing Exhibit 205
10/20/09	Evidentiary Hearing Exhibit 206

7. I certify:

a. That a copy of this Notice of Appeal has been served on the reporter (CSB Reporting, Attn: Constance Bucy, 23876 Applewood Way, Wilder, Idaho 83676);

b. That the requested transcript of the October 20, 2009 technical hearing has already been prepared consisting of approximately 233 pages denoted as "Volume II, pages 68-301," and Appellant has paid the estimated cost of such preparation in the amount of \$773.50 to the reporter;

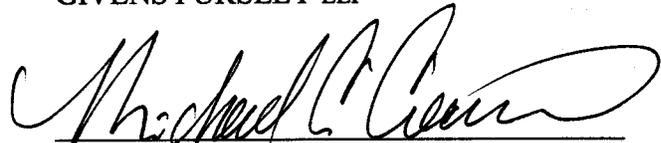
c. That the estimated fee for preparation of the Commission's record has been paid;

d. That the appellate filing fee has been paid to the Secretary of the Commission in the amount of one hundred one dollars and no cents (\$101.00); and

e. That service has been made upon all parties required to be served pursuant to Idaho Appellate Rule 20.

DATED this 8th day of January, 2010.

GIVENS PURSLEY LLP



Michael C. Creamer
Attorneys for Intervenor/Appellant The
Building Contractors Association of
Southwestern Idaho

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of January, 2010, a true and correct copy of the foregoing was served upon the following individual(s) by the means indicated:

Original Plus Seven Filed:

Jean D. Jewell, Secretary	<input type="checkbox"/>	U.S. Mail, postage prepaid
Idaho Public Utilities Commission	<input type="checkbox"/>	Express Mail
472 West Washington Street	<input checked="" type="checkbox"/>	Hand Delivery
P.O. Box 83720	<input type="checkbox"/>	Facsimile
Boise, Idaho 83720-0074	<input type="checkbox"/>	Electronic Mail

Service Copies:

Lisa D. Nordstrom	<input checked="" type="checkbox"/>	U.S. Mail, postage prepaid
Barton L. Kline	<input type="checkbox"/>	Express Mail
Idaho Power Company	<input type="checkbox"/>	Hand Delivery
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Deputy Attorney General	<input type="checkbox"/>	Express Mail
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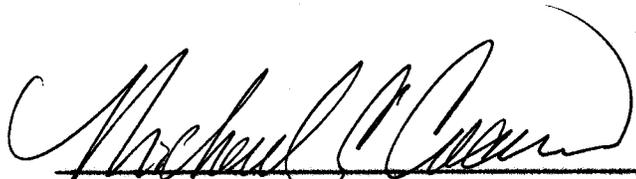
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Michael C. Creamer