

Michael C. Creamer, ISB No. 4030  
Michael P. Lawrence, ISB No. 7288  
GIVENS PURSLEY LLP  
601 W. Bannock Street  
P.O. Box 2720  
Boise, Idaho 83701-2720  
Telephone: 208-388-1200  
Facsimile: 208-388-1300  
10495-2\_848236\_3  
Attorneys for Petitioner/Appellant The Building  
Contractors Association of Southwestern Idaho, Inc.

RECEIVED  
2010 APR 21 AM 8:26  
IDAHO PUBLIC  
UTILITIES COMMISSION

SUP-E-10-01  
SUP-E-10-02

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

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

AFFIDAVIT OF MICHAEL C.  
CREAMER IN SUPPORT OF  
STIPULATED MOTION FOR  
EXTENSION OF TIME FOR FILING  
BRIEFS AND REQUESTED  
SCHEDULE FOR BRIEFING

THE BUILDING CONTRACTORS  
ASSOCIATION OF SOUTHWESTERN  
IDAHO,

Supreme Court Docket No. 37293-2010  
Idaho Public Utilities commission No.  
IPC-E-08-22

Petitioner-Appellant,

vs.

IDAHO PUBLIC UTILITES COMMISSION,  
and  
IDAHO POWER COMPANY,

Respondents on Appeal.



c. No previous request for an extension of time has been requested or denied.

d. An extension is necessary because my schedule, including a trial scheduled for April 28-30, 2010, has not permitted adequate time to prepare Building Contractors' Appellant's Brief. This appeal ultimately will decide whether Idaho Power Company's Rule H line extension tariff approved by the Idaho Public Utilities Commission ("IPUC") is unlawfully discriminatory against new customers. The outcome will affect all Idaho Power Company customers and the matter deserves to be fully briefed with adequate time. In addition, and as further discussed below, extending the time for filing Building Contractor's Appellant's Brief will make its briefing schedule consistent with the extension of time and briefing schedule requested by Appellant Ada County Highway District ("ACHD") and stipulated to by Respondents Idaho Power Company and IPUC.

e. Building Contractors requests a twenty-one (21) day extension, which will make May 24, 2010 the date on which its Appellant's Brief will be due.

f. I have discussed this request for extension of time with counsel for Appellant ACHD and Respondents Idaho Power Company and IPUC, and they are willing to stipulate to the extension and to the proposed briefing schedule set forth below. I am advised that Appellant ACHD similarly requests a 21-day extension of time in which to file its Appellant's Brief due to scheduling issues, to which Respondents IPUC and Idaho Power Company also are willing to stipulate. I further am advised that counsel for Idaho Power, Lisa Nordstrom, will be out of town for training for approximately three weeks during the month of June. For purposes of keeping the same briefing schedule for the two consolidated appeals, and

for purposes of allowing all parties adequate time for briefing, it is respectfully submitted that the following schedule apply to each Appellants' Brief and each Respondents' Brief:

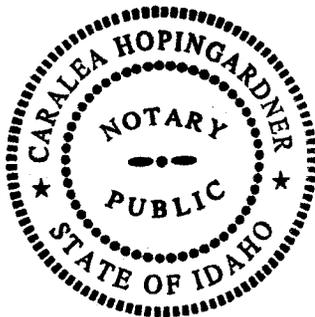
- i. Each Appellant's Brief will be due May 24, 2010;
- ii. Each Respondent's Brief will be due July 9, 2010;
- iii. Any Reply Brief will be due as per the standard deadline set forth in I.A.R. 34(c).

g. Counsel for all parties have agreed to Building Contractor's requested extension of time and the requested briefing schedule set forth above, and all parties further represent that their respective briefs will be filed by the deadlines set forth above.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

  
Michael C. Creamer

SUBSCRIBED AND SWORN TO before me this 20<sup>th</sup> day of April, 2010.



  
Notary Public for Idaho  
Residing at: Boise, ID  
My Commission Expires: 5/8/2010

**CERTIFICATE OF SERVICE**

I hereby certify that on this 20<sup>th</sup> day of April, 2010, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Weldon Stutzman  
Kristine A. Sasser  
Deputy Attorneys General  
Idaho Public Utilities Commission  
472 W. Washington  
PO Box 83720  
Boise, ID 83720-0074  
[Weldon.Stutzman@puc.idaho.gov](mailto:Weldon.Stutzman@puc.idaho.gov)  
[kris.sasser@puc.idaho.gov](mailto:kris.sasser@puc.idaho.gov)

- U.S. Mail, postage prepaid
- Express Mail
- Hand Delivery
- Facsimile
- Electronic Mail

Lawrence G. Wasden  
Attorney General  
Statehouse  
PO Box 83720  
Boise, ID 83702-0010

- U.S. Mail, postage prepaid
- Express Mail
- Hand Delivery
- Facsimile
- Electronic Mail

Lisa D. Nordstrom  
Barton L. Kline  
Idaho Power Company  
1221 W. Idaho St.  
PO Box 70  
Boise, ID 83707-0070  
[lnordstrom@idahopower.com](mailto:lnordstrom@idahopower.com)  
[bkline@idahopower.com](mailto:bkline@idahopower.com)

- U.S. Mail, postage prepaid
- Express Mail
- Hand Delivery
- Facsimile
- Electronic Mail

Jean D. Jewell  
Commission Secretary  
Idaho Public Utilities Commission  
472 West Washington Street  
P.O. Box 83720  
Boise, Idaho 83720-0074

- U.S. Mail, postage prepaid
- Express Mail
- Hand Delivery
- Facsimile
- Electronic Mail

Merlyn W. Clark  
D. John Ashby  
Hawley Troxell Ennis & Hawley LLP  
877 Main Street, Ste. 1000  
PO Box 1617  
Boise, ID 83701-1617  
[mclark@hawleytroxell.com](mailto:mclark@hawleytroxell.com)  
[jashby@hawleytroxell.com](mailto:jashby@hawleytroxell.com)  
*Attorneys for Appellant Ada County Highway District*



U.S. Mail, postage prepaid  
Express Mail  
Hand Delivery  
Facsimile  
Electronic Mail

  
\_\_\_\_\_  
Michael C. Creamer