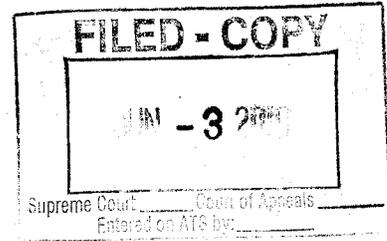


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Attorneys for Respondents on Appeal,  
 Idaho Public Utilities Commission and  
 Idaho Power Company

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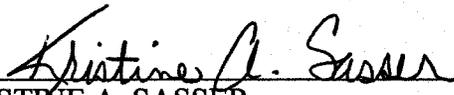
**IN THE SUPREME COURT OF THE STATE OF IDAHO**

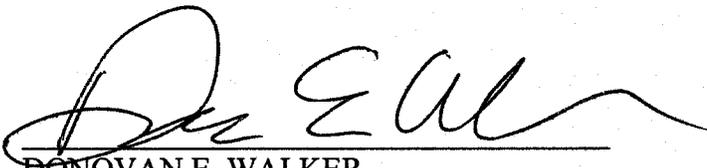
<b>ADA COUNTY HIGHWAY DISTRICT,</b>	)	
	)	<b>SUPREME COURT</b>
<b>Petitioner-Appellant,</b>	)	<b>DOCKET NO. 37294-2010</b>
	)	
<b>v.</b>	)	
	)	
<b>IDAHO PUBLIC UTILITIES COMMISSION</b>	)	<b>RESPONDENTS JOINT MOTION</b>
<b>AND IDAHO POWER COMPANY,</b>	)	<b>FOR EXTENSION OF TIME FOR</b>
	)	<b>FILING RESPONDENTS' BRIEFS</b>
<b>Respondents on Appeal.</b>	)	

COMES NOW the Respondents on Appeal, Idaho Public Utilities Commission and Idaho Power Company, and pursuant to Appellate Rules 34(e) and 46, respectfully moves this Court for an extension of time in which to file Respondents' Briefs in this case. This Motion is based upon the attached Affidavits of Kristine A. Sasser and Donovan E. Walker, counsels of

record in this appeal. The Commission asserts that there is good cause to grant the requested extension of time.

Respectfully submitted this 3<sup>rd</sup> day of June 2010.

  
\_\_\_\_\_  
KRISTINE A. SASSER  
Deputy Attorney General  
Attorney for Respondent on Appeal,  
Idaho Public Utilities Commission

  
\_\_\_\_\_  
DONOVAN E. WALKER  
Attorney for Respondent on Appeal,  
Idaho Power Company

State of Idaho )  
 ) ss  
County of Ada )

**AFFIDAVIT OF KRISTINE A. SASSER**

KRISTINE A. SASSER, being duly sworn and deposed says:

1. I am counsel of record for the Idaho Public Utilities Commission in this matter, and submit the following information in support of the Respondents Joint Motion for Extension of Time to File Respondents' Briefs pursuant to IAR 34(e).

2. The due date for Respondent's Brief is currently June 18, 2010.

3. The Appellant, Ada County Highway District, requested and was granted a twenty-one (21) day extension for filing its Brief.

4. This is the Respondent's first request for an extension.

5. No requests for an extension of time have been denied.

6. An extension of the filing date for the Commission's Respondent Brief is necessary to allow the Commission sufficient time to properly respond. This matter was appealed to the Idaho Supreme Court simultaneously by an additional party (Docket No. 37294-2010) with separate and distinct complex questions of regulatory law. As a result, counsel would be unable to adequately respond to each appellant's brief within the 28-day timeframe provided by IAR 34(c). Counsel is also currently involved in a general rate case proceeding and other cases before the Commission that will require a significant time commitment during the next thirty (30) days. Moreover, the current state of the economy has caused the Office of the Attorney General to impose furlough days, further limiting counsel's ability to properly respond.

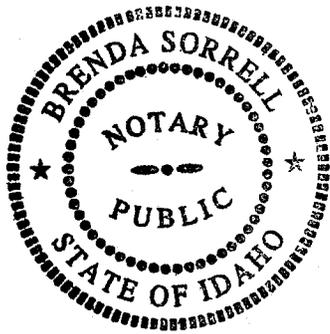
7. The Commission requests a twenty-eight (28) day extension, making Respondent's Brief due on July 16, 2010.

8. Appellant Ada County Highway District does not oppose this request for extension of time.

9. If the Respondents are granted the extension requested above, this will allow sufficient time for the Commission to file its Respondent's Brief.

  
Kristine A. Sasser  
Deputy Attorney General  
Attorney for Respondent on Appeal,  
Idaho Public Utilities Commission

SUBSCRIBED AND SWORN to me this 3rd day of June 2010.



Brenda Sorrell

Notary Public for Idaho, Residing at Boise, Idaho

My Commission expires 5/7/2016

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Boise, Idaho 83702

IN THE SUPREME COURT OF THE STATE OF IDAHO

ADA COUNTY HIGHWAY DISTRICT,	)	
	)	Supreme Court Docket No. 37294-
Petitioner-Appellant,	)	2010
	)	
v.	)	AFFIDAVIT OF DONOVAN E.
	)	WALKER IN SUPPORT OF IDAHO
IDAHO PUBLIC UTILITIES COMMISSION	)	POWER COMPANY'S
and IDAHO POWER COMPANY,	)	UNOPPOSED MOTION FOR
	)	EXTENSION OF TIME FOR FILING
Respondents on Appeal.	)	RESPONDENT'S BRIEF
	)	
	)	

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Donovan E. Walker, being first duly sworn upon oath, deposes and states as follows:

1. I am an attorney of record for the Respondent, Idaho Power Company, in the above-captioned action.

2. I am duly admitted to the practice of law before this Court and the courts of the state of Idaho, and maintain offices at 1221 West Idaho Street, Boise, Idaho.

3. I have personal knowledge of the matters herein referred to and make this Affidavit in support of Idaho Power Company's Unopposed Motion for Extension of Time for Filing Respondent's Brief

4. Respondent's Brief is currently due June 18, 2010.

5. No previous extension of time has been granted.

6. No previous request for an extension of time has been denied.

7. The reasons or grounds why an extension is necessary are to allow Idaho Power Company's lead counsel to attend three weeks of previously scheduled training.

8. This appeal will ultimately decide whether the Idaho Public Utilities Commission has lawfully acted within its authority when it issued Order Nos. 30853 and 30955. Given the serious nature of this matter, it deserves to be fully briefed with adequate time.

9. Respondent requests a 28-day extension, which will make July 16, 2010, the date on which Respondent's Brief will be due.

10. This request for extension of time has been discussed with counsel for Appellants and the other Respondent. I am advised that none object to this request for extension of time.

11. Respondent represents that its Respondent's Brief will be filed no later than July 16, 2010.



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 3<sup>RD</sup> day of June 2010, I served a true and correct copy of **RESPONDENTS JOINT MOTION FOR EXTENSION OF TIME FOR FILING RESPONDENTS' BRIEFS AND AFFIDAVITS OF KRISTINE A. SASSER AND DONOVAN E. WALKER** upon the following named parties by the method indicated below, and addressed to the following:

**Idaho Power Company**

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Barton L. Kline  
Idaho Power Company  
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**Building Contractors Association of Southwestern Idaho**

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**Ada County Highway District**

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SECRETARY