



## STATEMENT IN SUPPORT OF MOTION

Windland and PacifiCorp dba Rocky Mountain Power are actively engaged in negotiations to settle a related administrative action currently before the Commission in IPUC case, No. PAC-E-10-05. PacifiCorp is a supplier of electric service in Idaho and regulated by the Public Utilities Commission pursuant to *Idaho Code* §§ 61-119 and 61-129. If Windland and PacifiCorp are able to settle their dispute in IPUC Case No. PAC-E-10-05, the appeal in this case would be avoided.

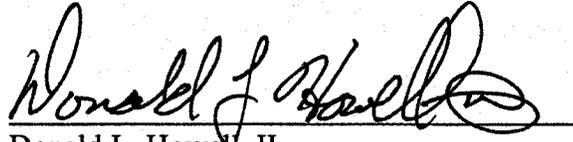
Based upon the foregoing, the Parties respectfully request that this appeal be suspended for a period of ninety (90) days, including suspension of the preparation of the agency's record on appeal. Suspending the appeal will allow Windland and PacifiCorp to continue their settlement discussions and allow the agency to suspend preparation of the record during settlement negotiations. Suspension will also save the Parties time and resources. If Windland and PacifiCorp are able to settle their dispute, the Parties will promptly request that this appeal be dismissed pursuant to I.A.R. 32(b). Conversely, if Windland and PacifiCorp are unable to settle their dispute, the Parties will timely advise the Court so the Suspension can be terminated.

## REQUEST FOR RELIEF

The Parties respectfully move this Court for an Order suspending this appeal for a period of ninety (90) days pursuant to I.A.R. 13.2. The Parties assert there is good cause for the Court to suspend the appeal while Windland engages in settlement negotiations which may negate this appeal.

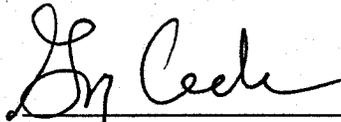
RESPECTFULLY submitted this 23<sup>rd</sup> day of July 2010.

IDAHO PUBLIC UTILITIES COMMISSION



Donald L. Howen, II  
Deputy Attorney General

RICHARDSON & O'LEARY, PLLC



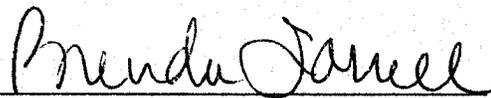
Peter J. Richardson  
Gregory M. Adams  
Attorneys for Windland, Inc.

O:Supreme Court\_GNR-E-10-01\_Joint Motion to Suspend Appeal\_dh

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 23<sup>RD</sup> DAY OF JULY 2010, SERVED THE FOREGOING **JOINT MOTION TO SUSPEND APPEAL**, IN SUPREME COURT DOCKET NO. 37854-2010, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

PETER J RICHARDSON  
GREGORY ADAMS  
RICHARDSON & O'LEARY  
515 N 27<sup>TH</sup> STREET  
PO BOX 7218  
BOISE ID 83702  
E-MAIL: [peter@richardsonandoleary.com](mailto:peter@richardsonandoleary.com)  
[greg@richardsonandoleary.com](mailto:greg@richardsonandoleary.com)

  
SECRETARY