



RECEIVED

2011 MAY 27 PM 1:26

IDAHO PUBLIC
UTILITIES COMMISSION

101 S. Capitol Boulevard, Suite 1900
Boise, Idaho 83702
main 208.389.9000
fax 208.389.9040
www.stoel.com

May 27, 2011

RICHARD R. HALL
Direct (208) 387-4211
rrhall@stoel.com

BY HAND DELIVERY

Idaho Public Utilities Commission
472 W Washington
Boise, ID 83702

**Re: Case No. PAC-E-10-07
Notice of Appeal**

Dear Secretary:

Enclosed for filing please find:

1. Notice of Appeal (1 original plus 7 copies).
2. Check in the amount of \$100.00 as deposit for copying fees.
3. Check in the amount of \$86.00 as Idaho Supreme Court filing fee.

I've include an extra copy of the Notice of Appeal. Please conform this copy and return it with our runner.

Please do not hesitate to contact me with questions.

Best regards,

A handwritten signature in black ink, appearing to read "Richard R. Hall".

Richard R. Hall

RRH:ct
Enclosure

RECEIVED

2011 MAY 27 PM 1:26

IDAHO PUBLIC UTILITIES COMMISSION

Richard R. Hall
Stoel Rives LLP
101 S. Capitol Boulevard, Suite 1900
Boise, Idaho 83702-7705
Telephone No. (208)387-4211
Facsimile No. (208)389-9040
rrhall@stoel.com

Mark C. Moench, *Pro Hac Vice*
Daniel E. Solander, *Pro Hac Vice*
201 South Main Street, Suite 2300
Salt Lake City, Utah 84111
Telephone No. (801) 220-4014
Facsimile No. (801) 220-3299
mark.moench@pacificorp.com
daniel.solander@pacificorp.com

Paul J. Hickey, *Pro Hac Vice*
Hickey & Evans, LLP
1800 Carey Avenue, Suite 700
P.O. Box 467
Cheyenne, WY 82003-0467
Telephone No. (307) 634-1525
Facsimile No. (307) 638-7335
phickey@hickeyevans.com

Attorneys for Rocky Mountain Power

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE)	
APPLICATION OF ROCKY)	CASE NO. PAC-E-10-07
MOUNTAIN POWER FOR)	
APPROVAL OF CHANGES TO ITS)	
ELECTRIC SERVICE SCHEDULES)	NOTICE OF APPEAL
AND A PRICE INCREASE OF \$27.7)	
MILLION, OR APPROXIMATELY)	
13.7 PERCENT)	
)	
ROCKY MOUNTAIN POWER)	
APPELLANT)	
)	
V.)	
)	
IDAHO PUBLIC UTILITIES)	

COMMISSION)
RESPONDENT)

TO: THE ABOVE NAMED RESPONENT, IDAHO PUBLIC UTILITIES COMMISSION (HEREINAFTER "IPUC") AND THE PARTY'S ATTORNEY, Mr. Don Howell, Idaho Public Utilities Commission, 472 W. Washington, Boise, ID 83702 AND THE SECRETARY OF THE IPUC, Jean D. Jewell.

NOTICE IS HEREBY GIVEN THAT:

1. Designation of Orders Appealed From. The above named Appellant, Rocky Mountain Power, appeals against the above named Respondent, to the Idaho Supreme Court from ORDER NO. 32224 entered in the above proceeding on April 18, 2011, Chairman Smith presiding and ORDER NO. 32196 entered in the above proceeding on February 28, 2011, Chairman Smith presiding and ORDER NO. 32151, Chairman Smith presiding, entered in the above proceeding on December 27, 2010.
2. Jurisdiction. Rocky Mountain Power has a right to appeal to the Idaho Supreme Court, and the orders described in paragraph 1 above are appealable orders under and pursuant to Article V, Section 9 of the Idaho Constitution, I.C. § 61-627, Rule 4, I.A.R and Rule 11(e), I.A.R.
3. Preliminary Statement of Issues. Appellant intends to assert on appeal that:
 - a. The IPUC erred when it ruled that 27% of the capacity of Rocky Mountain Power's Populus to Terminal transmission line is not currently used and useful for the provision of electric utility service to Idaho customers.
 - b. The IPUC erred when it excluded 27% of Rocky Mountain Power's investment in the Populus to Terminal transmission line from rate base for purposes of setting electric utility rates for Rocky Mountain Power's Idaho customers.

4. Transcript. Appellant designates a partial transcript consisting of the transcript of hearings held on November 30, 2010, December 1, 2010 and December 2, 2010.
5. Record. Appellant designates the following to be included in the record on appeal:
 - a. The Application of Rocky Mountain Power
 - b. All orders entered by the Commission
 - c. All motions and petitions filed by the parties
 - d. All briefs and memoranda filed by the parties
 - e. Prefiled testimony, along with attachments, of the following witness:
 - i. Mr. Richard Walje
 - ii. Mr. Darrell Gerrard
 - iii. Mr. John Cupparo
 - iv. Mr. Mark R. Tallman
 - v. Mr. Stefan Bird
 - vi. Mr. Steve McDougal
 - vii. Mr. Dennis Peseau
 - viii. Mr. Randy Lobb
6. Exhibits. Appellant designates the following exhibits admitted in proceedings before the IPUC to be copied and sent to the Supreme Court:
 - a. Rocky Mountain Power Exhibit 1 – Revenue Requirement Summary
 - b. Rocky Mountain Power Exhibit 2 – Revenue Requirement
 - c. Rocky Mountain Power Exhibit 4 – LGAR Calculation
 - d. Rocky Mountain Power Exhibit 33 – Gateway Map
 - e. Rocky Mountain Power Exhibit 34 – Populus to Terminal Map

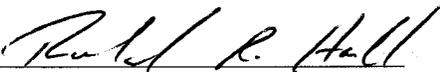
- f. Rocky Mountain Power Exhibit 35 – DOE Congestion on Western Paths Map
- g. Rocky Mountain Power Exhibit 36 – Incentive Rate Order
- h. Rocky Mountain Power Exhibit 37 – Populus to Terminal Cost Summary
- i. Rocky Mountain Power Exhibit 38 – Summary of Bidder Evaluations
- j. Rocky Mountain Power Exhibit 39 – Project Photos
- k. Rocky Mountain Power Exhibit 65 – Path C Transfer
- l. Rocky Mountain Power Exhibit 66 – Alternative Cost Options
- m. Rocky Mountain Power Exhibit 67 – Foundational Project Map
- n. Rocky Mountain Power Exhibit 78 – Revenue Requirement Summary
- o. Rocky Mountain Power Exhibit 79 – Results of Operations Summary
- p. Rocky Mountain Power Exhibit 80 – Updated LGAR Calculation
- q. Monsanto Exhibit 221 – Proposed Energy Gateway
- r. Monsanto Exhibit 222 – Proposed Gateway West
- s. Monsanto Exhibit 223 – Proposed Gateway South
- t. Monsanto Exhibit 224 – Idaho MEHC Acquisition Order No. 29973, pg 6-7
- u. Monsanto Exhibit 225 – Comparative Investment per Mile
- v. Monsanto Exhibit 226 – Western U.S. Competing Transmission Lines Map
- w. Monsanto Exhibit 227 – PacifiCorp Response to Monsanto Data Request 4.5
- x. Monsanto Exhibit 234 – Confidential
- y. Idaho Public Utility Commission Order No. 30657, In the Matter of the
Application of Rocky Mountain Power for a Certificate of Public Convenience
and Necessity Authorizing Construction of the Populus-to-Terminal 345 kV

Transmission Line Project, Case No. PAC-E-08-03 (October 10, 2008), as referenced in the Direct Testimony of Mr. John A. Cupparo.

7. Sealed Record. Portions of IPUC Order No. 32196, portions of the designated record and Exhibit 234 have been designated as confidential by the IPUC.
8. Certification. The undersigned counsel for Appellant hereby certifies that:
 - a. Service of the Notice of Appeal has been made upon the reporter of the administrative proceeding, Hedrick Court Reporting.
 - b. The estimated fees for preparation of the designated portions of the transcript have been paid.
 - c. The estimated fees for preparation of the agency's record have been paid.
 - d. All appellate filing fees have been paid.
 - e. That service has been made upon all other parties required to be served pursuant to Rule 20, I.A.R.

DATED this 27th day of May, 2011.

ROCKY MOUNTAIN POWER



Richard R. Hall
Stoel Rives LLP
101 S. Capitol Boulevard, Suite 1900
Boise, Idaho 83702-7705
Telephone No. (208)387-4211
Facsimile No. (208)389-9040
rrhall@stoel.com

Paul J. Hickey
Hickey & Evans, LLP
1800 Carey Avenue, Suite 700
P.O. Box 467
Cheyenne, WY 82003-0467
Ph. 307-634-1525

Fx. 307-638-7335
phickey@hickeyevans.com

Mark C. Moench
Daniel E. Solander
201 South Main Street, Suite 2300
Salt Lake City, Utah 84111
Telephone No. (801) 220-4014
Facsimile No. (801) 220-3299
mark.moench@pacificorp.com
daniel.solander@pacificorp.com

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of May, 2011, I caused to be served, a true and correct copy of Rocky Mountain Power's *Notice of Appeal* to the following:

Via Hand Delivery

Idaho Public Utilities Comm'n.
Scott Woodbury
Deputy Attorney General
472 W. Washington (83702)
P.O. Box 83720
Boise, ID 83720-0074
E-Mail: scott.woodbury@puc.idaho.gov

Eric L. Olsen (**U.S. Mail**)
Racine, Olson, Nye, Budge & Bailey, Chartered
201 E. Center
P.O. Box 1391
Pocatello, ID 83204-1391
E-Mail: elo@racinelaw.net

Tim Buller (**U.S. Mail**)
Jason Harris
Agrium, Inc.
3010 Conda Road
Soda Springs, ID 83276
E-Mail: tbuller@agrium.com JAHarris@agrium.com

Brad Purdy (**U.S. Mail**)
CAPAI
2019 N. 17th St.
Boise, ID. 83702
E-mail: bmpurdy@hotmail.com

Anthony Yankel (**U.S. Mail**)
29814 Lake Road
Bay Village, Ohio 44140 E-mail: tony@yankel.net

James R. Smith (**U.S. Mail**)
Monsanto Company
P.O. Box 816
Soda Springs, Idaho 83276
E-Mail: jim.r.smith@monsanto.com

Ronald L. Williams (**U.S. Mail**)
Williams Bradbury, P.C.
1015 W. Hays St.
Boise ID, 83702

E-mail: ron@williamsbradbury.com

Randall C. Budge (U.S. Mail)

Racine, Olson, Nye, Budge & Bailey, Chartered
201 E. Center

P.O. Box 1391

Pocatello, ID 83204-1391

E-Mail: rcb@racinelaw.net

Benjamin J. Otto (U.S. Mail)

Idaho Conservation League

710 N. 6th St.

P.O. Box 844

Boise, Idaho 83702

E-mail: botto@idahoconservation.org

Katie Iverson (U.S. Mail)

Brubaker & Associates

17244 W. Cordova Court

Sunrise, Arizona 85387

E-Mail: kiverson@consultbai.com

Melinda J. Davison (U.S. Mail)

Davison Van Cleve, P.C.

333 S.W. Taylor, Suite 400 Portland, OR 97204

E-mail: mjd@dvclaw.com

Dr. Don Reading (U.S. Mail)

Idaho Conservation League

6070 Hill Road

Boise, ID 83703

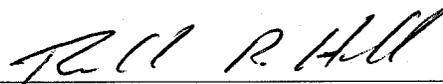
E-mail: dreading@mindspring.com

Hedrick Court Reporting (Hand Delivery)

1655 Fairview Ave., Suite 201

P.O. Box 578

Boise, ID 83701



Richard R. Hall