

Jim Jones (ISB #1136)  
**JIM JONES & ASSOCIATES**  
 1275 Shoreline Lane  
 Boise, Idaho 83702-6870  
 Telephone: Boise (208) 385-9200

RECEIVED   
 FILED   
 2004 JAN -9 AM 8:49  
 IDAHO PUBLIC  
 UTILITIES COMMISSION

Attorney for Petitioners/Appellants

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

IN THE MATTER OF THE JOINT )  
 PETITION OF ROBERT RYDER, d/b/a )  
 RADIO PAGING SERVICE, JOSEPH B. )  
 MCNEAL, d/b/a PAGEDATA AND )  
 INTERPAGE OF IDAHO, AND )  
 TEL-CAR, INC., FOR DECLARATORY )  
 ORDER AND RECOVERY OF )  
 OVERCHARGES FROM U.S. WEST )  
 COMMUNICATIONS INC., )  
 \_\_\_\_\_ )

Docket No. 29175

ROBERT RYDER, d/b/a RADIO )  
 PAGING SERVICE, et al., )

Petitioners/Appellants, )

**AFFIDAVIT IN SUPPORT OF  
 MOTION FOR EXTENSION**

vs. )

IDAHO PUBLIC UTILITIES )  
 COMMISSION, )

Respondent on Appeal, )

and )

QWEST CORPORATION, )

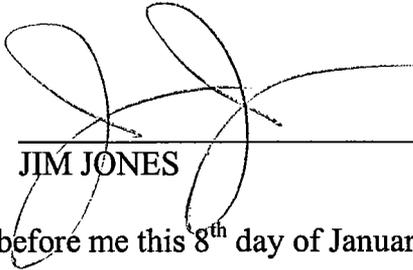
Respondent-Respondent on )  
 Appeal. )  
 \_\_\_\_\_ )

STATE OF IDAHO            )  
                                      : ss  
County of Ada                )

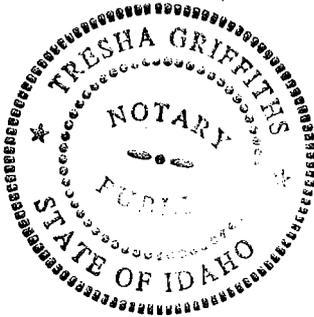
JIM JONES, being duly sworn, deposes and says:

1. I am counsel of record for the Appellants in the above-entitled matter.
2. The due date of Appellants' brief is January 21, 2004.
3. No prior extensions of time have been granted.
4. An extension of the filing date for Appellants' brief is necessary because I have been unable to devote the time to the brief that it deserves. With the intervention of the holidays and regular end-of-the-year business for clients, it has not been possible to work on the brief. This month, through the middle of February, is extremely busy for me. The week of January 12 will be primarily devoted to hearings and depositions in a Madison County case. The week of the 19<sup>th</sup> will be devoted in large part to an appellate hearing before the Environmental Appeals Board, which is scheduled for January 22 in Washington, D.C. And, there is not much daylight in my schedule until after the second week of February.
5. Forty (40) additional days would be sufficient to adequately research and prepare Appellants' brief. That would put the new due date at March 1, 2004.
6. There is no stipulation of the parties for this application for extension.
7. I contacted Don Howell, counsel for the Idaho Public Utilities Commission, and he indicated no opposition to the extension request. On January 5, I notified William Batt, counsel for Qwest Corporation, of my request for extension. On February 7, I spoke with his assistant to advise of the particulars of my extension request. I was advised that the request would be passed on to Mr. Batt but I have not heard back as of today's date.

8. If the request is granted, I can assure the Court that I will submit my brief on or before March 1. On any previous occasion where an extension has been granted, I have always filed in a timely manner.

  
\_\_\_\_\_  
JIM JONES

SUBSCRIBED AND SWORN to before me this 8<sup>th</sup> day of January, 2004.



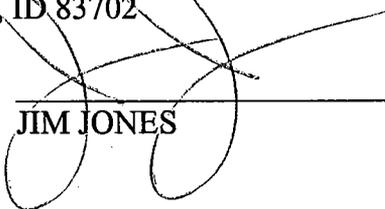
  
\_\_\_\_\_  
NOTARY PUBLIC FOR IDAHO  
Residing at: Meridian, Idaho  
My Commission Expires: 6/15/06

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 8<sup>th</sup> day of January, 2004, I caused to be served a true and correct copy of the foregoing AFFIDAVIT IN SUPPORT OF MOTION FOR EXTENSION by depositing the same in the United States mail, postage prepaid, in an envelope addressed to the following:

WILLIAM J. BATT  
Marshall, Batt & Fisher  
P.O. Box 1308  
Boise, ID 83701

DON HOWELL  
Idaho Public Utilities Commission  
472 West Washington  
Boise, ID 83702

  
\_\_\_\_\_  
JIM JONES