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BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE APPLICATION OF U S WEST COMMUNICATIONS, INC. FOR AUTHORITY TO INCREASE ITS RATES AND CHARGES FOR REGULATED TITLE 61 SERVICES.    U S WEST COMMUNICATIONS, INC.,  Appellant,  v.  IDAHO PUBLIC UTILITIES COMMISSION,  Respondent. | )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  ) | SUPREME COURT  DOCKET NO.  24349  IPUC CASE NO. USW-S-96-5  UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER U S WEST’S MOTION TO LIMIT CLERK’S STANDARD RECORD ON APPEAL |

COMES NOW the Respondent and Staff in the above entitled action through its attorney of record, Donald L. Howell, II, Deputy Attorney General, and seeks an extension of time in which to answer U S WEST Communications’ Motion to Limit the Agency’s Standard Record on Appeal, pursuant to the Commission’s Procedural Rule 56.  IDAPA 31.01.01.056.

BACKGROUND

On December 16, 1997, U S WEST Communications filed a Notice of Appeal in the Company’s recently completed rate case referenced above.  Attached to the Notice of Appeal was a motion requesting that the Commission limit the administrative record on appeal to the single issue on appeal, i.e., toll restriction.  As the Commission is well aware, both the transcript and the record in the underlying case are quite large.  In principle, the Staff agrees with the Company’s intention to restrict the agency record to only the single issue on appeal.

Despite this agreement in principle, the Staff intends to oppose several of the items that the Company requests be included in the Appeal record as set out in Addendum A to U S WEST’s Notice of Appeal.  Several of the items mentioned in Addendum A lack the requisite identification necessary for the Commission Secretary to include these items in the record.(footnote: 1)  In addition, Staff intends to file other objections to the inclusion of certain items.

MOTION FOR EXTENSION

Under the Commission’s Procedural Rule 57.03, parties intending to respond to motions must do so within 14 days of the date of the motion.  U S WEST filed its Motion to Limit the Record on December 16, 1997.  Accordingly, the Staff would normally file its answer to the motion no later than December 30, 1997.  U S WEST’s counsel has indicated that she intends to make a subsequent filing specifically identifying documents that the Company requests be compiled in the Appellate record.  Rather than file an Answer to the Company’s December 16 Motion and file a subsequent Answer to the Company more specific filing, Staff requests an extension of time so that the Staff may file a single Answer to both U S WEST requests.

Counsel for U S WEST does not oppose an extension of time for Staff to answer U S WEST’s December 16 Motion until such time as the Company files its amended request to include specific documents in the Appellate record.  No other party to the rate case has intervened in the appeal.  Granting this Motion will not prejudice any party, avoid Staff having to file two Answers, and provide greater efficiency for settling the record on appeal.

PRAYER

Based upon the foregoing, Staff respectfully requests that the Commission grant it an extension of time in which to answer U S WEST’s December 16 Motion until such time as the Company files an amended request to include specific documents in the Appellate record.  When U S WEST files its amended request, the Staff will timely file its Answer to both requests pursuant to Commission Rule 57.03, IDAPA 31.01.01.057.03.

DATED this  30th  day of December 1997.

Donald L. Howell, II

Deputy Attorney General

bls/N-usws965.dh2

CERTIFICATE  OF  SERVICE

I  HEREBY  CERTIFY  THAT  I  HAVE  THIS 30th  DAY  OF DECEMBER  1997,  SERVED  THE  FOREGOING UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER U S WEST’S MOTION TO LIMIT CLERK’S STANDARD RECORD ON APPEAL,  IN SUPREME COURT DOCKET NO. 24349/IPUC CASE  NO. USW-S-96-5,  MAILING  A  COPY  THEREOF,  POSTAGE  PREPAID  UNLESS  OTHERWISE  INDICATED,  TO  THE  FOLLOWING:

MARY S HOBSON

STOEL RIVES LLP

STE 1900

101 S CAPITOL BLVD

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Secretary

**FOOTNOTES**

1:

For example, item No. 1 requests that the Commission Secretary include all “data requests and responses . . . in connection with the products sold by U S WEST Communications, Inc. (U S WEST) known as “Toll Restriction.”  U S WEST Notice of Appeal, Addendum A-1.  The Secretary should not be required to search through nearly 500 discovery requests that were not contained in the hearing record and independently determine which document might satisfy the Company’s request.