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DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

February 5, 2010

ALJ Sarah Wallace
Public Utility Commission of Oregon
550 Capitol St NE Suite 215
PO Box 2148
Salem, OR 97308-2148

RE: LC 50; Staff's Letter Clarifying Staff Review of Idaho Powers 2010 IRP

Dear ALJ Wallace,

On January 25, 2010, a prehearing conference was held in this docket and a subsequent prehearing conference memorandum was issued. As a result of questions at, and since, the prehearing conference, Staff files this letter to clarify its view on the review of Idaho Powers 2010 IRP.

Staff agrees with the following statement in the prehearing conference memorandum:

"The Commission generally does not address specific resources, but rather determines whether the utility has proposed a portfolio of resources to meet its energy demand that presents the best combination of cost and risk."

Staff, however, believes that one should not interpret that statement as saying that there can be no discussion of Idaho Power's Boardman to Hemmingway transmission line in this IRP proceeding. The line is an essential part of Idaho Power's filed plan, and if the Commission acknowledges that plan, it will be recognizing that transmission in eastern Oregon is part and parcel of a reasonable approach for Idaho Power to follow in meeting its future energy demands. So, although the line in question in the IRP is Boardman to Hemmingway, if the Commission does decide to acknowledge the plan, it will likely call the line something else, such as "Generic Transmission Between Southwestern Idaho and Northeastern Oregon." Therefore, if any party believes that transmission in eastern Oregon should or should not be part of the plan Idaho Power is presenting, then that party should provide comments to support its position. That is what Staff intends to do with respect to the proposed transmission line.

Sincerely,

Jason W. Jones
Assistant Attorney General
Regulated Utility & Business Section

JWJ:jwj/1881703-v1

1 **CERTIFICATE OF SERVICE**

2 I certify that on February 5, 2010, I served the foregoing Staff Letter upon the parties in
3 this proceeding by electronic mail only - all parties have waived paper service.

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