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**VIA ELECTRONIC FILING**

Public Utility Commission of Oregon  
Filing Center  
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**Re: Docket No. PCN-5 – Idaho Power Company’s Response to STOP B2H’s Comments Regarding Prehearing Conference.**

Dear Administrative Hearings Division:

On September 14, 2022, the Administrative Hearings Division (AHD) sent out an email to Idaho Power and the current interested parties in Docket PCN 5 proposing to schedule a prehearing conference (PHC) on October 11, 2022. On September 15, 2022, the STOP B2H Coalition (STOP B2H) submitted a letter proposing that the PHC be delayed for a variety of reasons, including to allow time for STOP B2H to contact all potentially affected landowners. However, STOP B2H’s request is without merit.

First, STOP B2H argues that the PHC should be delayed because the Certificate of Public Convenience and Necessity (CPCN) rules are currently unknown and may be appealed once issued. However, Staff issued its draft rules with its Public Meeting Memorandum on September 15, 2022—the same date that STOP B2H filed its letter proposing to delay the PHC—and those rules will be considered by the Commission on September 20, 2022 (not October 20, 2022, as claimed by STOP B2H). Thus, the CPCN rules should be final three weeks prior to the October 11 PHC, which will allow sufficient time for review. Moreover, STOP B2H’s statement that the rules may be appealed is pure conjecture, and in any event, should not delay the consideration of a procedural schedule for Docket PCN 5.

Second, STOP B2H asserts that potential intervenors are unaware of Docket PCN 5 because the petition has not yet been filed. However, Idaho Power served potentially affected landowners (potential intervenors) with its Notice of Intent to file a Petition for CPCN (Notice of Intent) precisely for this reason—to provide landowners advance notice that Idaho Power will soon be filing a petition. When Idaho Power files its Petition for CPCN (Petition)—on or around September 30—Idaho Power will again notify these landowners of the fact that the Petition has been filed and provide a link to the filing. STOP B2H inappropriately suggests that these actions are “problematic” and “unethical”—however, these reckless “suggestions” ignore the fact that Idaho Power’s approach of providing an advance Notice of Intent provides landowners approximately

30 days more notice regarding this proceeding than is required under either the existing or proposed rules.

Third, STOP B2H asserts that potential intervenors will need additional time to complete a variety of tasks, such as reviewing pertinent rules, organizing as a group, seeking counsel, and making various filings. However, as noted above, the final CPCN rules will be adopted by the Commission well in advance of the PHC. Moreover, to the extent that interested parties wish to coordinate and seek counsel, there is no reason why they cannot begin such tasks now, in advance of the PHC. Finally, tasks such as informal or formal coordination among the intervenors may continue to occur in due course following the PHC.

Fourth, STOP B2H also argues that it needs Huddle access and the list of landowners to whom the Notice of Intent was mailed. While these actions are not prerequisites to holding the PHC, Idaho Power has no objection to STOP B2H obtaining Huddle access and will provide the landowner list to STOP B2H promptly via Huddle.

For the foregoing reasons, Idaho Power respectfully requests that the AHD proceed with scheduling the PHC for Docket PCN 5 on October 11, 2022.

Respectfully submitted,



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