

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

<b>IN THE MATTER OF IDAHO POWER COMPANY'S, PETITION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.</b>	<b>Docket: PCN 5</b>  Comments/Appeal  <b>Wendy King</b>
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**Date: February 7, 2023**

**Wendy King, Intervenor**

**55357 McKenzie Hwy.  
Blue River, OR 97413  
Email: King5some@juno.com**

1 To the authority of Oregon's PUC, I would like to respectfully appeal ALJ John  
2 Mellgren's denial of Motion for Extension of my Amended Opening Testimony. I'm truly  
3 apologetic for the late timing of my petition to intervene, it is an honor to have my petition  
4 granted. I only discovered in January that I could be a part of this process and to have a voice in  
5 this matter as an Oregonian. In good faith, I've endeavored to understand how this system works  
6 and studied it, so my actions fit within its' parameters. On January 30<sup>th</sup> I submitted my petition  
7 to intervene. With no notice of acceptance, I continued to prepare a testimony. Having a draft  
8 outline ready, on February 1, (seeing this date to be an amended deadline) I called the PUC filing  
9 center for assistance with delivery of my opening testimony. Ellie returned my call with  
10 information on how to file, and that I was so late in submitting my petition to intervene that she  
11 had spoken with the judge as to "what to do with me," and whether I would be given an amended  
12 deadline. The conversation was left that she would speak with the Judge and get back to me. This  
13 call happened at 1:46pm and with a 3pm deadline for everyone else, so I pressed to author my  
14 opening testimony without exhibits to at least meet the deadline. With my opening testimony  
15 received, on Feb 1<sup>st</sup>, I promptly requested the following:

16 Hi Ellie,  
17 Thank you for receiving my testimony. I had hoped to include exhibits but  
18 felt the most important task was to submit the body of my testimony.  
19 Unfamiliar territory, this type of writing, and if I can gather exhibits  
20 would I be able to submit for consideration an amended testimony if completed  
21 by Feb. 6?  
22 Gratefully,  
23 Wendy King  
24 541-912-8685  
25

26 Thursday, February 2, my internet connection was out of service from 10:14am until  
27 5:39pm so, I began to assume (incorrectly) that my amended testimony deadline would be  
28 extended to February 6, as some interveners had been given that allowance.

29

1 On Friday morning, February 3,

2 I read the following email dated February 2, 3:31pm from Ellie Knoll:

3 Hey Wendy,

4  
5 My apologies for not getting back to you sooner. Would you be able to send a  
6 request for an extension in writing to the filing center?

7  
8 The Judge will need to write a ruling granting you a late filing exception.  
9

10

11 Friday, February 3, at 11:06am, I emailed a formal request for an extended deadline as follows:

12 To Whom it may Concern,

13

14 This request is delayed due to a 7.5 hour internet connection loss yesterday,  
15 (another repercussion of the wildfire from 2020) I am requesting an extension  
16 to amend my opening testimony due to the timing of my Intervener request and  
17 filing opening testimony. In an effort to complete the testimony and meet the  
18 Feb. 1st 3:00pm deadline, I rushed not knowing if I would be granted an  
19 extension. If granted, my testimony will include exhibits and a more complete  
20 message. Thank you for your consideration.

21

22 Sincerely,

23 Wendy King

24 541-912-8685

25

26 Without receiving any information as to whether I would receive an extended deadline, I

27 tentatively continued to prepare an amended testimony over the weekend.

28 Monday, February 6, my motion for extended deadline was opposed by IPC, and on that very

29 same day, I submitted my amended opening testimony to PUC filing center. Because ALJ

30 Mellgren had not ruled on my requested extension deadline yet, I proceeded to submit that

31 amended testimony in hopes the deadline extension that was provided to several other

32 interveners, and considering my prior conversation with Ellie, the extension might be afforded to

33 myself.

34 February 7, I received the email that ALJ Mellgren that accepted my petition as intervener and

35 denied my amended opening testimony and having already submitted it, thought it best to appeal

36 his decision in consideration of the events leading up to its submission. I sincerely hope this

1 information provides good cause for my extension request. I genuinely believe my amended  
2 testimony will not broaden the issues, burden the record or delay the proceeding. Thank you for  
3 your consideration.

4

5 I hereby declare that the above statements are true to the best of my knowledge and  
6 belief, and I understand that they are made for use as evidence in administrative and court  
7 proceedings and are subject to penalty for perjury.

8 Dated this 7thth day of February, 2023.

9 /s/ Wendy King

10 Wendy King

11 Intervenor, PCN-5

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**CERTIFICATE OF MAILING**

13

14 On February 7, 2023, I certify that I filed the above Opening Testimony with the  
15 Administrative Law Judge via the OPUC Filing Center, for the Docket # PCN-5.

16

/s/ Wendy King

17

Wendy King

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Intervenor, PCN-5

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