

McDowell Rackner & Gibson PC



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October 11, 2012

VIA ELECTRONIC AND U.S. MAIL

PUC Filing Center
Public Utility Commission of Oregon
PO Box 2148
Salem, OR 97308-2148

Re: UE 233 – Idaho Power Company's Application for Authority to Increase its Rates and Charges for Electric Service to its Customers in the State of Oregon

Attention Filing Center:

Enclosed for filing in Docket UE 233 is an original and one copy of Idaho Power Company's Objections to CUB's Additional Exhibits to Offer Into the Record.

A copy of this filing has been served on all parties to this proceeding as indicated on the attached Certificate of Service.

Please contact me with any questions.

Very truly yours,

Vimla Mathi
Legal Assistant

Enclosures

cc: Service List

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**

3 **UE 233**

4 In the Matter of
5 IDAHO POWER COMPANY
6 Request for General Rate Revision.

IDAHO POWER COMPANY'S
OBJECTIONS TO CUB'S ADDITIONAL
EXHIBITS TO OFFER INTO THE RECORD

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8 Pursuant to Administrative Law Judge (ALJ) Michael Grant's Joint Prehearing
9 Conference Memorandum of September 20, 2012, Idaho Power Company ("Idaho Power"
10 or "Company") submits these Objections to the Citizens' Utility Board of Oregon's ("CUB")
11 Additional Exhibits to Offer into the Record.

12 On October 9, 2012, CUB filed a cross examination statement indicating that it did
13 not intend to cross examine any witnesses in this case. However, CUB also filed a list of
14 exhibits to be entered into the record that included five exhibits (CUB/500-505) that were
15 not included in the three rounds of testimony CUB filed related to the pollution control
16 investments at Jim Bridger Unit 3. The Company objects to CUB/500 and CUB/501.

17 CUB/501 is an excerpt of a decision from the Environmental Protection Agency
18 ("EPA") that appears to have been issued on May 15, 2012.¹ CUB filed two rounds of
19 testimony since the EPA issued this document and CUB's October 9, 2012, filing fails to
20 state why CUB did not provide this earlier in this case and instead held it until now.
21 Moreover, because CUB does not intend to cross examine any witnesses, it is unclear
22 how the relevance of this document will be established at hearing. For these reasons, the
23 Company objects to its admission into the record in this proceeding.

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25 _____
26 ¹ The excerpt provided by CUB has no date. However, the webpage where the document
can be found has this date in its internet address.

1 Idaho Power also objects to CUB/501, which is a document issued by the
2 Wyoming Department of Environmental Quality on May 28, 2009. Like CUB/500, CUB
3 never addressed this document anywhere in its voluminous testimony in this case. Also,
4 like CUB/501, it is unclear how CUB can demonstrate the relevance of this document at
5 hearing. Thus, this document should not be admitted into the record in this proceeding.

6 In addition, the admission of these documents into the record will be prejudicial to
7 Idaho Power because the Company will not have a substantive opportunity to respond to
8 their content. The first time the Company will understand what points CUB seeks to make
9 with these documents is when it receives CUB's post-hearing brief—to which the current
10 schedule affords no opportunity to respond. For this reason, the Company requests that,
11 if the Commission allows these documents into evidence, and assuming that CUB refers
12 to them in its post-hearing brief, that the Company be allowed to file a reply.

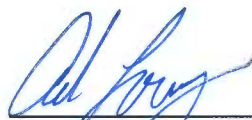
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14 October 11, 2012

MCDOWELL RACKNER & GIBSON PC

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IDAHO POWER COMPANY

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CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing document in UE 233 on the following named person(s) on the date indicated below by email addressed to said person(s) at his or her last-known address(es) indicated below.

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DATED: October 11, 2012



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