

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

PCN 5

In the Matter of

IDAHO POWER COMPANY,

Petition for Certificate of Public
Convenience and Necessity.

MEMORANDUM

This Memorandum addresses two issues: (1) the pending appeals of the Energy Facility Siting Council's (EFSC) site certificate for the Boardman to Hemingway Transmission line (B2H project); and (2) recent requests in comments regarding the adequacy of notice to landowners regarding this matter.

First, the Public Utility Commission of Oregon is aware that multiple appeals have been filed to the Oregon Supreme Court regarding the EFSC's site certificate for the B2H project. Because the outcome of these appeals may impact this proceeding, I request that any party wishing to provide their perspective on the impact of the appeals on the schedule for PCN 5 or the Commission's consideration of Idaho Power's Petition for a Certificate of Public Convenience and Necessity file comments by 3:00 p.m. on January 6, 2023, via the Filing Center. While I am interested in hearing all perspectives on this issue, I am particularly interested in hearing from the parties on the specific issues on appeal and how the issues on appeal may impact the PUC's review of Idaho Power's petition in this matter, if at all.

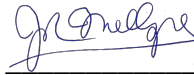
Further, Idaho Power must file a copy of the following documents related to all appeals of the EFSC site certificate for the B2H transmission line project promptly after they are filed with or by the Oregon Supreme Court:

- Any opening brief(s) (excluding any excerpts of record);
- Any answering brief(s);
- Any order from the Oregon Supreme Court related to the appeals' schedule(s) (including any oral argument or hearing) or timing of a final decision from the Oregon Supreme Court;
- Any final decision(s) on the appeals from the Oregon Supreme Court.

Second, there have been some requests in public comments related to the adequacy of notice to potentially affected landowners in this proceeding. Should any party wish to seek relief regarding any such issue, they should promptly file a motion via the Filing Center articulating the issue, the request for relief, and the basis for any such request in compliance with the PUC's

rules on motions.¹ Although parties may file motions at any time, it would be most helpful for such a motion to be filed by December 29, 2022, at 3:00 p.m. Given the upcoming deadlines in this matter, I am likely to consider such motions on an expedited basis.

Dated this 19th day of December, 2022, at Salem, Oregon.



John Mellgren
Administrative Law Judge

¹ See OAR 860-001-0420.