

ISSUED: May 4, 2009

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 206

In the Matter of

IDAHO POWER COMPANY

2008 Annual Power Supply Expense True-Up

PREHEARING CONFERENCE
REPORT

**DISPOSITION: SCHEDULE ADOPTED; INTERVENTION
NOTICED**

On April 27, 2009, a telephone prehearing conference was held in the above-captioned docket. The purpose of the conference was to identify parties and interested persons and establish a procedural schedule.

Appearances were entered by Idaho Power Company (Idaho Power), the Citizens' Utility Board of Oregon (CUB), the Public Utility Commission of Oregon Staff (Staff).

The parties proposed the following procedural schedule:


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| Petitions to Intervene Due | May 1, 2009 |
| Workshop and Settlement Conference | May 14, 2009 |
| Staff and Intervenors File Reply Testimony | May 26, 2009 |
| Idaho Power Files Rebuttal Testimony | June 15, 2009 |
| Hearing | July 9, 2009 9:30 a.m. Main Hearing Room |
| Simultaneous Opening Briefs | July 22, 2009 |
| Simultaneous Reply Briefs | July 30, 2009 |
| Commission Decision Target Date | August 31, 2009 |

On April 30, 2009, CUB filed its Notice of Intervention pursuant to ORS 774.180 and OAR 860-012-0001 and became a party to the proceedings. No petitions to intervene were filed with the Commission by the date specified in the proposed schedule.

RULING

The proposed schedule is adopted. In complying with the schedule, all dates shall be considered "in-hand" dates. Non-confidential material will be considered to be in-hand if delivered by email on the date due. Confidential material will be in-hand if delivered via overnight delivery on the date due.

Dated this 4th day of May, 2009, at Salem, Oregon.



Allan J. Arlow
Administrative Law Judge

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NOTICE OF CONTESTED CASE RIGHTS AND PROCEDURES

The 2007 Oregon Legislative Assembly amended the Administrative Procedures Act to require agencies to provide all parties written notice of contested case rights and procedures. Pursuant to ORS 183.413, you are entitled to be informed of the following:

Hearing: The time and place of any hearing held in this proceeding will be noticed separately. The Commission will hold the hearing under its general authority set forth in ORS 756.040 and use procedures set forth in ORS 756.518 to 756.610 and OAR Chapter 860, Divisions 11-14. The Commission will hear issues as identified by the parties.

Right to Attorney: As a party to this hearing, you may be represented by counsel. Should you desire counsel but cannot afford one, legal aid may be able to assist you; parties are ordinarily represented by counsel. The Commission staff, if participating in the case, will be represented by counsel. Once a hearing has begun, you will not generally be allowed to request a recess to obtain counsel.

Administrative Law Judge: The Commission has delegated the authority to preside over contested cases to its employee Administrative Law Judges (ALJs). The scope an ALJ's authority is defined in OAR 860-012-0035. The ALJ make evidentiary and other procedural rulings, analyze the contested issues, and present legal and policy recommendations to the Commission.

Hearing Rights: You have the right to respond to all issues identified, and present evidence and witnesses on those issues. *See* OAR 860-014-0045 to OAR 860-014-0060. You may obtain discovery from other parties through depositions, subpoenas, and data requests. *See* ORS 756.538 and 756.543; OAR 860-014-0065 to 860-014-0070.

Evidence: Evidence is generally admissible if it is of a type relied upon by reasonable persons in the conduct of their serious affairs. *See* OAR 860-014-0045(1)(b). Objections to the admissibility of evidence must be made at the time the evidence is offered. Objections are generally made on grounds that the evidence is unreliable, irrelevant, repetitious, or because its probative value is outweighed by the danger of unfair prejudice, confusion of the issues, or undue delay. The order of presenting evidence is determined by the type of proceeding. *See* OAR 860-014-0035. The burden of presenting evidence to support an allegation or position rests with the proponent of the allegation or position. Once a hearing is completed, the ALJ will not generally allow the introduction of additional evidence without good cause.

Record: The hearing will be recorded, either by a court reporter or by audio/digital tape, to preserve the testimony and other evidence presented. Parties may contact the court reporter about ordering a transcript or request the Commission for a copy of the tape for a fee set forth in OAR 860-011-0090(2)(e)(C). The hearing record will be made part of the evidentiary record that serves as the basis for the Commission's decision and, if necessary, the record on any judicial appeal.

Final Order and Appeal: After the hearing, the ALJ will prepare a draft order resolving all issues and present it to the Commission. The ALJ's draft order is not open to party comment. The Commission will make the final decision in the case and may adopt, modify, or reject the ALJ's recommendation. If you disagree with the Commission's decision, you may request reconsideration of the final order within 60 days. *See* ORS 756.561 and OAR 860-014-0095. You may also file a petition for review with the Court of Appeals within 60 days. *See* ORS 756.610.