

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 233

In the Matter of)	
)	CUB’S RESPONSE TO IDAHO POWER
IDAHO POWER COMPANY)	COMPANY’S OBJECTIONS TO CUB’S
)	ADDITIONAL EXHIBITS TO OFFER
Request for a General Rate Revision)	INTO THE RECORD
Phase II)	
_____)	

Pursuant to Administrative Law Judge (ALJ) Grant’s Joint Prehearing Conference Memorandum of September 20, 2012, the Citizens’ Utility Board of Oregon (“CUB”) submits its Response to Idaho Power Company’s (“Idaho Power” or “Company”) Objections to CUB’s Additional Exhibits to Offer Into the Record. Cub is making this filing today given that the hearing in this docket was cancelled. CUB has attempted to make contact with Counsel for Idaho Power and has left a message with her. CUB has not received a response at the time of making this filing.

On October 9, 2012, CUB filed its cross-examination statement and list of exhibits to be entered into the record in this docket, which included CUB/500-505. On October 11, 2012, Idaho Power filed its objections to CUB’s Additional Exhibits to Offer Into the Record, objecting specifically to CUB/500 and CUB/501. CUB/500 is an excerpt from a decision from the Environmental Protection Agency (“EPA”), which can also be found in the Federal Register.¹

¹ Approval, Disapproval and Promulgation of Implementation Plans; State of Wyoming; Regional Haze State Implementation Plan; Federal Implementation Plan for Regional Haze, 77 Fed. Reg. 33,032, 33,035-33,036 (Jun. 4, 2012)(to be codified at 40 C.F.R. pt. 52).

UE 233— CUB’S RESPONSE TO IDAHO POWER COMPANY’S OBJECTIONS TO CUB’S
ADDITIONAL EXHIBITS TO OFFER INTO THE RECORD

CUB/501 is a BART Application Analysis issued by the Wyoming Department of Environmental Quality.

CUB is willing to cross-examine an Idaho Power witness if the Commission deems it necessary to re-open the hearing so that these documents may be admitted into the record. However, given that the exhibits at issue are both documents issued by governmental agencies, available on the web, CUB feels that it may be easier for the Commission to simply take judicial notice of both documents and give them whatever evidentiary weight it determines to be appropriate.

Dated this 11th day of October, 2012.

Respectfully submitted,



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UE 233 – CERTIFICATE OF SERVICE

I hereby certify that, on this 11th day of October, 2012, I served the foregoing CUB'S RESPONSE TO IDAHO POWER COMPANY'S OBJECTIONS TO CUB'S ADDITIONAL EXHIBITS TO OFFER INTO THE RECORD in docket UE 233 upon each party listed in the UE 233 OPUC Service List by email and, where paper service is not waived, by U.S. mail, postage prepaid, and upon the Commission by email and by sending one original and one copy by U.S. mail, postage prepaid, to the Commission's Salem offices.

(W denotes waiver of paper service)
(HC denotes highly confidential)

(C denotes service of Confidential material authorized)

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sommer Templet". The signature is written in a cursive, flowing style.

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