

December 5, 2012

VIA EMAIL AND U.S. MAIL

Attention: Filing Center
Public Utility Commission of Oregon
550 Capitol Street NE, #215
PO Box 2148
Salem, OR 97308-2148
puc.filingcenter@state.or.us

Re:

In the Matter of IDAHO POWER COMPANY Request for General Rate Revision

PUC Docket No.: UE 233

DOJ File No.: 860115-GB0563-11

Enclosed for filing are an original and one copy of STAFF'S REQUEST TO THE ADMINISTRATIVE LAW JUDGE TO TAKE OFFICIAL NOTICE in the above-captioned docket for filing with the PUC today.

Sincerely

Stephanie S. Andrus

Senior Assistant Attorney General Business Activities Section

Enclosures SSA:jrs/#3803287

c: UE 233 Service List (electronic copy only)

1	BEFORE THE PUBLIC UTILITY COMMISSION	
2	OF OREGON	
3	UE 233	
4	T., 41 M44 C	
5	In the Matter of STAFF REQUEST TO THE ADMINISTRATIVE	
6	IDAHO POWER COMPANY LAW JUDGE TO TAKE OFFICIAL NOTICE	
7	Request for a General Rate Revision (Phase II)	
8		
9	Pursuant to OAR 860-001-0460(1)(b), Staff of the Public Utility Commission of Oregon asks	
10	the administrative law judge (ALJ) to take official notice of the following rules and notices of	
11	proposed rules issued by the Environmental Protection Agency.	
12	• Visibility Protection for Federal Class I Areas, 45 FR 80086	
13	• Regional Haze Regulations (NOPR), 62 FR 43118 (1997 WL 452017)	
14	• Regional Haze Regulations, 64 FR 35714 (1999 WL 438259)	
15 16	• Proposed Revisions to Regional Haze Rule to Incorporate Sulfur Dioxide Milestones and Backstop Emissions Trading Program for Nine Western States (NOPR), 67 FR 30418 (2002 WL 848905)	
18	Backstop Emissions Trading Program for Nine Western States and Eligible Indian Tribes within that Geographic Area, 68 FR 33764 (2003 WL 21280718)	
19	Regional Haze Regulations and Guidelines for Best Available Retrofit Technology	
20	(BART) Determinations, 70 FR 39104 (2005 WL 1551591)	
21	• Regional Haze Regulations; Revisions to Provisions Governing Alternatives to Source-	
22	Specific Best Available Retrofit Technology (BART) Determinations, 71 FR 60612 (2006 WL 2918149)	
23	Approval, Disapproval and Promulgation of Implementation Plans; State of Wyoming;	
24	Regional Haze State Implementation Plan; Federal Implementation Plan for Regional Haze (NOPR); 77 FR 33022 (2012 WL 1965273) (§309(g))	
25	Approval and Promulgation of State Implementation Plans; New Mexico; Regional Haze  Regional Fig. 14 (2012 WH 186515)	
<ul> <li>Regional Haze Regulations, 64 FR 35714 (1999 WL 438)</li> <li>Proposed Revisions to Regional Haze Rule to Incorporal Backstop Emissions Trading Program for Nine Western (2002 WL 848905)</li> <li>Revisions to the Regional Haze Rule to Incorporate Sulfi Backstop Emissions Trading Program for Nine Western within that Geographic Area, 68 FR 33764 (2003 WL 2003 WL 2004)</li> <li>Regional Haze Regulations and Guidelines for Best Avan (BART) Determinations, 70 FR 39104 (2005 WL 155159)</li> <li>Regional Haze Regulations; Revisions to Provisions Got Specific Best Available Retrofit Technology (BART) Determination Plans (Regional Haze State Implementation Plan; Federal Implementation Plans (NOPR); 77 FR 33022 (2012 WL 1965273) (§3090)</li> <li>Approval and Promulgation of State Implementation Plans</li> </ul>	Requirements for Mandatory Class I Areas (NOPR); 77 FR 36044 (2012 WL 186515)	

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1	<ul> <li>Approval and Promulgation of State Implementation Plans; State of Wyoming; Regional Haze Rule Requirements for Mandatory Class I Areas (NOPR); 77 FR 30953 (2012 WI 1865152)</li> </ul>	
2		
3	<ul> <li>Approval and Promulgation of State Implementation Plans; State of Wyoming; Regional Haze Requirements for Mandatory Class I Areas under 40 C.F.R. 51.309, http://www.epa.gov/region8/air/RulemakingActionOnWyoming309RegionalHazePlanN</li> </ul>	
4	v2012.pdf	<u>10</u>
5	Class Air Act Final Interim Annual of Operating Pormits Program: State of Wasaning	-
6	<ul> <li>Clean Air Act Final Interim Approval of Operating Permits Program; State of Wyoming 60 FR 3766 (1995 WL 16938)</li> </ul>	;,
7 8	• Clean Air Act Full Approval of Operating Permit Program; Approval of Expansion of State Program Under Section 112(I); State of Wyoming, 64 FR 8523 (1999 WL 78932)	
	The proposed rules and rules listed in this request are referenced in the Staff Final Brief	
9	and help to establish the regulatory context for Idaho Power's investment in the Scrubber	
	Upgrade at issue in this docket. Accordingly, Staff asks that the ALJ take official notice of	2
11	the rules and proposed rules.	
12 13	DATED this day of December 2012.	
14	Respectfully submitted,	
15	ELLEN F. ROSENBLUM	
16	Attorney General	
17	$O/O(\Lambda$	
18	Stephanie S. Andrus, #92512	
19	Senior Assistant Attorney General	
20	Of Attorneys for Staff of the Public Utility Commission of Oregon	
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## CERTIFICATE OF SERVICE

I hearby certify that on December 5, 2012, I served the foregoing STAFF REQUEST TO THE ADMINISTRATIVE LAW JUDGE TO TAKE OFFICIAL NOTICE upon the persons named on the service list below who have waived such service by mail, by serving a full, true and correct copy thereof at their e-mail address as follows:

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