April 14, 2023

Dear Judge Mellgren,

Per Idaho Power's memo yesterday and after reading some of the filings from the 12th, it is obvious that there is confusion. This is an unfortunate situation that we believe has mainly occurred because of this expedited schedule which allows extremely little time for volunteers to consult with each other and do the work that's needed to participate: meaning, not only researching their own issues, **but researching and understanding the procedures and protocols.**[1]

A few examples:

- The idea that we needed to get all the documentation or evidence "in" on the 12th was confusing. Was it *ONLY* for the cross-examinations; or was it all evidence therefore preserving the information for use in our closing briefs? Most of us believed the latter; *thinking that we could only add additional items on the 25th (motion to admit) that came from the cross-hearing.*

- When we learned that nothing was technically admitted into the record yet, we figured that we better list everything to preserve it for our Briefs. As we learned in EFSC, we needed to be sure that all footnotes and citations in our ("opening") briefing are items/evidence already entered into the record (unless judicially noted or the legal & case citations.) *It's frustrating writing a briefing and then discovering that you can't use a piece of evidence because you forgot to list it.*

- Can folks bring in a witness to testify on their behalf? Apparently, we learned from Nolan Moser the other day that folks could only cross the witnesses or other intervenors who testified in writing already. That wasn't clear in the beginning since some intervenors' witnesses didn't want to be bothered writing testimony but would be willing to speak (be crossed -examined) verbally; and for some others it's the other way around. *Third-party witnesses are difficult for pro se's to engage*

[1] Note that all of the intervenors in this case, with exception of staff and utilities, are volunteer, pro se's--even the Stop B2H Coalition. Some intervenors have never experienced anything like this before because they did not fully engage in the EFSC case. And those that have a little experience with administrative law from the EFSC case are either exhausted from 2+ years of Idaho Power's relentless pace, or they are confused because of the subtle differences in the procedural steps, the parameters, and the agency (or legal) jargon. Stop B2H certainly fits in this latter category.

quickly since we are volunteers ourselves and if people don't have the funds for experts or attorneys, well, here we are.

- In terms of the markings of the Exhibits, there was additional confusion. Honestly, we thought it made sense; but until we were actually doing it, we didn't realize how confused we were. So, for Stop B2H for example, anything new we wanted to preserve to use in our future brief but was never cited before, we marked as "StopB2H/Cross/" but this was/is misleading since not everything "new" was to be used in cross. Therefore, *the Table that IPC offered is very useful and we would support the use of that tool for organizing the cross hearings,* if folks can complete it in time.

We are very grateful for the efforts that you, the staff at the Filing Center, and ALJ Moser have extended to all the pro se intervenors. We believe that you are trying to make accommodation for us, giving a lot of legal leeway, and we are grateful.

Please accept all documentation and evidence submitted on the 12th in good faith. Intervenors have worked hard to get everything they want/need into the record by the 12th. Objections to the inclusion of evidence (e.g.: late submission) will occur on May 2nd. If intervenors need to re-file the simple table that IPC is offering, I can only speak for Stop B2H, but we can do such if you think it will be helpful for smooth hearing proceedings.

Sincerely,

C. Fuji Kreider
Intervenor
Secretary/Treasurer, Stop B2H Coalition

P.S.: Supplemental Comment:
Two additional points that I'd like to share, if for no other reason than inform future cases with a mix of pro se's and attorneys:

- It feels very redundant to us that we have to file the motion to admit when we have been adding to the record throughout the case--but we figured it was more like an "E.R." (evidentiary record) some

of us experienced for supreme court preparations. It's a hassle but it does make it clearer for the decision makers.

- And in terms of declarations, it also seems strange. Could people have been lying up until now? We have always added declarations and we thought the 25th was to dot the "I's" and cross the "t's" and then sign once again--especially if you missed one somewhere along the line.