

April 14, 2023

Dear Judge Mellgren,

I am puzzled by the cross-examination process and I am puzzled by Idaho Power's claim that my response to their data request in Huddle, should not be admitted as evidence. They say, "Idaho Power will stipulate to the admission of its own responses to data requests but does not concede that other documents—including other parties' responses to data requests—may be entered into the record without first laying a foundation."

If Idaho Power can "admit its own responses" then why shouldn't my response be admitted? I only recently figured out that these would not be automatically admitted. It seems like they should be when both parties are fully aware of the contents anyway. As for "without laying a foundation", the subject of the data response is the statement made by expert witness Michael McAllister demonstrating that construction of Glass Hill Alternative would require less miles of new road than would Morgan Lake Alternative. This subject is absolutely tied in with the comparison of alternatives that has dominated my testimony.

It was my impression that even though I do not plan to cross-examine, that it was advised to ask for evidence to be admitted sooner, rather than later. That is why I asked for my data response to be admitted. I thought there was also a further chance to petition for admission before the 25th.

Sincerely

Susan Geer

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