

April 16, 2023

Dear Judge Mellgren,

Thank you for your memorandum on April 14, 2023 explaining the schedule for the hearings. Following your memo on the same day, Idaho Power wrote to you about the availability of Dr. Ellenbogen. Stop B2H Coalition does not object to scheduling changes that you may need to make based on this request--assuming you will inform everyone as soon as possible--hopefully Monday.

However, we have a little confusion about what witnesses need to be present -- based on a couple of statements in these two memos. In talking with other intervenors, it seems we are not alone. We are hoping that you can clarify the questions below for all.

Your memo states:

“Additionally, please note that the Commission may identify witnesses it wishes to question on Thursday, April 20, 2023, if any, as late as the end of the day on Wednesday, April 19, 2023. This may include witnesses not identified by any party in a cross-examination statement. Accordingly, all witnesses should remain available for the hearing on Thursday, April 20, 2023.”

And, Idaho Power’s memo states:

“Idaho Power requests that Kirk Ranzetta be scheduled for cross examination either on the afternoon of the first day of the hearing, or at any time on the second day of the hearing.”

1. From your memo and statement (above) it appears that all “witnesses” need to be present for the time slot assigned to the Commissioners<sup>1</sup>. Does this also mean, “all parties,” considering the fact that all parties also submitted “testimony?” Or, only the stated witnesses that submitted testimony on behalf of a party? Some examples:

- Susan Geer, an intervening party, was planning to be working in the field potentially out of cell range, should she be present; and should her witness, Mr. Michael McAllister, also be present on Thursday? Per your memo, all witnesses should remain available for the hearing

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<sup>1</sup> This time slot may change based on the pace of the hearing and your final published schedule.

on Thursday, April 20, 2023. How available does one need to make themselves on Thursday?

- Sam Myers/Wendy King: should their Fire Chief witness be present?
- Tim Proesch did not submit a cross-list but did submit written testimony. Should he and his witnesses (e.g.: Mr. Tim Davis) be present?
- Stop B2H: In our Opening Testimony, we cite and footnote witnesses' testimony from the EFSC case. Given this, do we need to make these witnesses also available since we cited their testimony? (Case in Point: Mr. Kerrie Standlee, Acoustical Engineer)?

2. Per the Idaho Power memo, is Mr. Ranzetta an identified witness that is missing from the schedule? We do not believe that Mr. Ranzetta was called for Cross? It is our understanding that no party can call their own witness. (Or, was this meant to be a simple FYI, in case you and/or the Commissioners wanted to cross-examine him?)

3. If you or the Commissioners ask questions at the end (on Thursday), does that open up another round of cross-examining by IPC or other intervenors? How do you envision this working in terms of the hearing flow?

I hope these questions aren't too burdensome to answer as soon as possible. When we—and other intervenors--read that the staff and IPC were not planning to call witnesses, we told all the witnesses that they did not need to prepare for Cross. Now, it seems that they may be questioned after all. Please advise as soon as possible.

Thank You,



C. Fuji Kreider  
Stop B2H Coalition  
Intervenor

P.S.: Given that it is the weekend and the Filing Center is closed, I am submitting this in advance to the full Service List.