

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF JOINT PETITION OF) CASE NO. AVU-E-22-07
AVISTA CORPORATION AND FORD)
HYDRO LIMITED PARTNERSHIP FOR)
APPROVAL OF A POWER PURCHASE AND) ORDER NO. 35508
SALE AGREEMENT)
)

On August 8, 2022, the Commission issued Order No. 35489, which approved the Second Amended and Restated Power Purchase Agreement (“Second Amended PPA”) between Avista Corporation d/b/a Avista Utilities (“Company”) and Ford Hydro Limited Partnership (“Seller”), effective as of July 1, 2022, conditioned on the parties updating Section 9.7 “Modification to the Facility/Avista Right to Inspect.” On August 10, 2022, Avista filed Amendment 1 to the Second Amended PPA (“Amendment 1”) to comply with the Order. The parties requested that Amendment 1 be effective as of August 10, 2022, or such other date as set by the Commission.

STAFF COMMENTS

Staff reviewed Amendment 1 with the updated Section 9.7, and recommended approval with an effective date of August 10, 2022, because Amendment 1 complies with Order No. 35489.

COMMISSION DISCUSSION AND FINDINGS

The Commission has jurisdiction over this matter under *Idaho Code* §§ 61-501, -502, and -503. *Idaho Code* § 61-501 authorizes the Commission to “supervise and regulate every public utility in the state and to do all things necessary to carry out the spirit and intent of the [Public Utilities Law].” The Commission is empowered to investigate rates, charges, rules, regulations, practices, and contracts of public utilities and to determine whether they are just, reasonable, preferential, discriminatory, or in violation of any provision of law, and to fix the same by order. *Idaho Code* §§ 61-502 and -503. In addition, the Commission has authority under the Public Utility Regulatory Policies Act of 1978 (“PURPA”) and Federal Energy Regulatory Commission (“FERC”) regulations to set avoided costs, to order electric utilities to enter fixed-term obligations for the purchase of energy and capacity from qualifying facilities, and to implement FERC rules. The Commission may enter any final order consistent with its authority under Title 61 and PURPA.

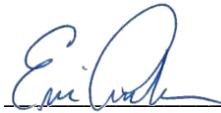
After reviewing Amendment 1 and Staff's comments, we find that Amendment 1 appropriately updated Section 9.7 "Modification to the Facility/Avista Right to Inspect" as expected by Order No. 35489, and should be approved with an effective date of August 10, 2022.

ORDER

IT IS HEREBY ORDERED that the Parties' Amendment 1 to the Second Amended PPA is approved, effective as of August 10, 2022.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order regarding any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *Idaho Code* § 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 22nd day of August 2022.



ERIC ANDERSON, PRESIDENT

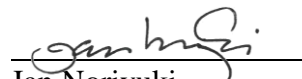


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR., COMMISSIONER

ATTEST:


Jan Noriyuki
Commission Secretary

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