

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE JOINT PETITION ) CASE NO. AVU-E-22-14**  
**OF AVISTA CORPORATION AND IDAHO )**  
**COUNTY LIGHT & POWER ) NOTICE OF APPLICATION**  
**COOPERATIVE ASSOCIATION FOR )**  
**APPROVAL OF POWER PURCHASE AND ) NOTICE OF**  
**SALE AGREEMENT ) MODIFIED PROCEDURE**  
**)**  
**) ORDER NO. 35528**

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On August 11, 2022, Avista Corporation (“Company”) and Idaho County Light & Power Cooperative Association, Inc. (“Seller”) (hereinafter referred to as the “Parties”), jointly applied to the Commission requesting an order approving the Parties’ new Power Purchase Agreement (“PPA”). Seller owns and operates a 1,010 kilowatt<sup>1</sup> hydroelectric generating facility near Lucile, Idaho (“Facility”). The Facility is a qualifying facility under the Public Utility Regulatory Policies Act of 1978. The Parties requested an effective date of October 31, 2022.

The Commission now issues Notice of Modified Procedure and sets deadlines for interested persons to comment on the Application, and for the Company to reply.

**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that the Application states that the PPA replaces a prior agreement which expires on October 30, 2022. The Company also notes that this new PPA shall be for a term of 20 years, beginning October 31, 2022.

YOU ARE FURTHER NOTIFIED that the Parties request the Commission declare all payments for purchase of energy under the PPA be allowed as prudently incurred expenses for ratemaking purposes.

YOU ARE FURTHER NOTIFIED that the Application is available for public inspection during regular business hours at the Commission’s office. These documents are also available on the Commission’s website at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click on the “ELECTRIC” icon, select “Open Cases,” and click on the case number as shown on the front of this document.

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<sup>1</sup> Due to limitations of the generator’s penstock, Seller estimates that the production of the Facility is functionally closer to 900 kilowatts under ideal conditions.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

**NOTICE OF MODIFIED PROCEDURE**

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter, and it will review the case through written submissions under the Commission's Rules of Modified Procedure Rules 201-204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201-204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that persons desiring to state a position on this Application may file a written comment explaining why they support or oppose the Application. Persons who would like a hearing must specifically request a hearing in their written comments. **Persons shall have until October 5, 2022, to file written comments.** Comments must be filed through the Commission website or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission's home page at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Case Comment Form" and complete the form using the case number as it appears on the front of this document. To file by e-mail, the customer must e-mail the comments to the e-mail addresses listed below. In addition to submitting the comments to the Commission Secretary, the customer must also e-mail the Company at the e-mail addresses listed below. If computer access is unavailable, then comments may be mailed to the Commission and Company at these addresses:

**For the Idaho Public Utilities  
Commission:**

Commission Secretary  
Idaho Public Utilities Commission  
P.O. Box 83720  
Boise, ID 83720-0074  
[secretary@puc.idaho.gov](mailto:secretary@puc.idaho.gov)

**For Avista Corporation:**

Michael G. Andrea  
Kevin Holland  
Avista Corporation  
1411 E. Mission Ave., MSC-7  
Spokane, WA 99202  
[michael.andrea@avistacorp.com](mailto:michael.andrea@avistacorp.com)  
[kevin.holland@avistacorp.com](mailto:kevin.holland@avistacorp.com)

Street Address for Express Mail:

11331 W. Chinden Blvd.  
Building 8, Suite 201-A  
Boise, Idaho 83714

**For Idaho County Light & Power  
Cooperative Association:**

Gregory M. Adams  
Richardson Adams, PLLC  
515 N. 27th Street  
Boise, Idaho 83702  
Phone: (208)938-2236  
[greg@richardsonadams.com](mailto:greg@richardsonadams.com)

Max Beach  
Idaho County Light & Power Cooperative  
Association  
P.O. Box 300  
Grangeville, ID 83530  
[mbeach@iclp.coop](mailto:mbeach@iclp.coop)

**YOU ARE FURTHER NOTIFIED** that the Parties must file any reply comments **by October 12, 2022.**


YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

**ORDER**

IT IS HEREBY ORDERED that the Parties' Application be processed by Modified Procedure, Rule 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so by October 5, 2022. The Parties must file any reply comments by October 12, 2022.

IT IS FURTHER ORDERED that parties comply with Order No. 35375, issued April 21, 2022. Generally, all pleadings should be filed with the Commission electronically and will be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should continue to be accomplished electronically when possible. However, voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

DONE by order of the Idaho Public Utilities Commission at Boise, Idaho this 9<sup>th</sup> day of September 2022.



ERIC ANDERSON, PRESIDENT

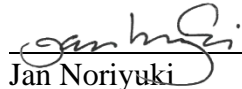


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR., COMMISSIONER

ATTEST:



Jan Noriyuki  
Commission Secretary

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