

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF IDAHO POWER</b>	)	<b>CASE NO. IPC-E-19-39</b>
<b>COMPANY'S APPLICATION FOR</b>	)	
<b>APPROVAL OF AN ENERGY SALES</b>	)	<b>NOTICE OF APPLICATION</b>
<b>AGREEMENT WITH PICO ENERGY, LLC</b>	)	
<b>FOR THE SALE AND PURCHASE OF</b>	)	<b>NOTICE OF</b>
<b>ELECTRIC ENERGY FROM THE PICO</b>	)	<b>MODIFIED PROCEDURE</b>
<b>ENERGY DAIRY DIGESTER</b>	)	
<b>COGENERATION FACILITY</b>	)	<b>ORDER NO. 34508</b>

On December 16, 2019, Idaho Power Company ("Idaho Power" or "Company") filed an Application requesting consideration of a replacement Energy Sales Agreement ("ESA" or "Agreement") with Pico Energy, LLC ("Pico Energy") for energy generated by the Pico Energy dairy digester cogeneration project ("Facility"). The Facility represents it is a qualifying facility ("QF") under the Public Utility Regulatory Policies Act of 1978 ("PURPA").

The Commission now issues this Notice of Application and Notice of Modified Procedure setting comment and reply deadlines.

**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that the Facility is a 2.276 megawatt nameplate capacity PURPA small power production facility near Jerome, Idaho. The Facility has been delivering energy to Idaho Power under a ten-year energy sales agreement dated May 4, 2010. *See* Order No. 32024.

YOU ARE FURTHER NOTIFIED that Pico Energy is reconfiguring the Facility from small power production facility to a cogeneration facility. As the cogeneration facility will use fossil fuel as its fuel source, it will no longer be eligible for the small power production avoided cost rates established by the Commission. *See* Order No. 34350. Under the ESA, the Facility will use published avoided cost fueled rates.

YOU ARE FURTHER NOTIFIED that the ESA will be for a ten-year term, and will replace the existing energy sales agreement with Idaho Power.

YOU ARE FURTHER NOTIFIED that the Company believes the Scheduled First Energy Date, Scheduled Operation Date, First Energy Date, and Operation Date for Facility will

occur simultaneously; the parties will mutually agree in writing on a date after Commission approval of the ESA and append the agreed date to the ESA.

YOU ARE FURTHER NOTIFIED that the Company requests the Application be processed by Modified Procedure. The Company also requests the Commission declare all payments for purchases under the ESA 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 web site at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click on the "File Room" tab at the top of the page, then select "Electric Cases" and click on the case number as shown on the front of this document.

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 and specifically *Idaho Code* §§ 61-502 and 61-503.

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 that it will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Commission's Rules of Procedure, IDAPA 31.01.01.201 through .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 Pico Energy's timeline for reconfiguring the Facility from a small power production facility to a cogeneration facility requires that this case to be processed on an expedited basis. Accordingly, any person desiring to state a position on this Application **must file a written comment in support or opposition with the Commission by December 31, 2019**. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be mailed to the Commission and the Company at the addresses reflected below:

**For the Idaho Public Utilities  
Commission**

Commission Secretary  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074

Street Address for Express Mail:

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

**For Idaho Power Company:**

Donovan E. Walker  
Energy Contracts  
Idaho Power Company  
1221 West Idaho Street 83702  
P.O. Box 70  
Boise, ID 83707-0070  
E-Mail: [dwalker@idahopower.com](mailto:dwalker@idahopower.com)  
[dockets@idahopower.com](mailto:dockets@idahopower.com)  
[energycontracts@idahopower.com](mailto:energycontracts@idahopower.com)

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Consumers" tab then click the "Case Comment or Question Form" and complete the comment form using the case number as it appears on the front of this document.

**YOU ARE FURTHER NOTIFIED** that the Company must file any reply comments **by January 7, 2020.**

**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**

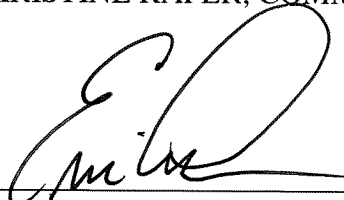
IT IS HEREBY ORDERED that the Application of the Company be processed by Modified Procedure, Rule 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so by December 31, 2019. The Company must file any reply comments by January 7, 2020.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this  
day of December, 2019.


19<sup>th</sup>

  
PAUL KJELLANDER, PRESIDENT

  
KRISTINE RAPER, COMMISSIONER

  
ERIC ANDERSON, COMMISSIONER

ATTEST:

  
Diane M. Hanian  
Commission Secretary

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