

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER RAPER  
COMMISSIONER ANDERSON  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL

**FROM:** JOHN R. HAMMOND JR.  
DEPUTY ATTORNEY GENERAL

**DATE:** MARCH 5, 2020

**SUBJECT:** IDAHO POWER COMPANY'S APPLICATION FOR APPROVAL OR REJECTION OF AN ENERGY SALES AGREEMENT WITH COLLEGE OF SOUTHERN IDAHO FOR THE SALE AND PURCHASE OF ELECTRIC ENERGY FROM THE PRISTINE SPRINGS #1 HYDRO PROJECT; CASE NO. IPC-E-20-04.

On February 14, 2020, Idaho Power Company ("Idaho Power" or "Company") applied for Commission approval of its proposed Energy Sales Agreement ("ESA") with the College of Southern Idaho ("CSI" or "Seller") for the energy generated by the Pristine Springs #1 hydro project ("Facility"). The Facility is a qualifying facility ("QF") under the Public Utility Regulatory Policies Act of 1978 ("PURPA").

### THE APPLICATION

The Facility operated by CSI is a 125 kilowatt ("kW") nameplate capacity hydroelectric facility near Twin Falls, Idaho. *Application* at 4. The Facility currently delivers energy to the Company under a PURPA energy sales agreement dated March 26, 2015. *Id.* The existing energy sales agreement expires on May 1, 2020. *Id.* The Company and CSI intend the proposed ESA to replace the expiring energy sales agreement. *Id.* The Company states the proposed ESA complies with Commission orders regarding this type of agreement. *Id.* at 2. The Company asks the Commission to process the Application by Modified Procedure before the existing energy sales agreement expires. *Id.* at 6.

In the proposed ESA, CSI has contracted for non-levelized, non-seasonal hydro published avoided cost rates as set by the Commission in Order No. 34350 for a 20-year term. *Id.* at 4. Idaho Power represents the Facility is an existing QF that is seeking a replacement agreement.

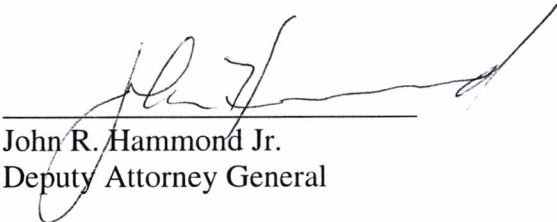
Idaho Power states that the output from the Facility has been included in Idaho Power's capacity planning, and the proposed ESA contains capacity payments for its entire term, with no sufficiency period. *Id.* at 3. The Company requests that its Application be processed by Modified Procedure. *Id.* at 6.

### **STAFF RECOMMENDATION**

Staff recommends the Commission issue a Notice of Application and Notice of Modified Procedure. Staff recommends the Notice of Application and Notice of Modified Procedure provide for a twenty-one (21) day written comment period for itself and any other interested parties, with a seven (7) day reply comment period for the Company to follow.

### **COMMISSION DECISION**

Does the Commission wish to issue a Notice of Application and Notice of Modified Procedure that establishes a twenty-one (21) day written comment period for Staff and any other interested parties followed by a seven (7) day reply comment period for the Company?



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John R. Hammond Jr.  
Deputy Attorney General

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