

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE APPLICATION</b>	)	<b>CASE NO. IPC-E-20-09</b>
<b>OF IDAHO POWER COMPANY FOR</b>	)	
<b>APPROVAL OF THE FIRST AMENDMENT</b>	)	<b>NOTICE OF APPLICATION</b>
<b>TO THE ENERGY SALES AGREEMENT</b>	)	
<b>FOR THE MUD CREEK S&amp;S HYDRO</b>	)	<b>NOTICE OF</b>
<b>PROJECT</b>	)	<b>MODIFIED PROCEDURE</b>
	)	
	)	<b>ORDER NO. 34594</b>
	)	

---

On February 20, 2020, Idaho Power Company (“Idaho Power” or “Company”) applied for Commission approval of the First Amendment to its Energy Sales Agreement (“Amendment”) with H K Hydro, LLC (“H K Hydro” or “Seller”) for the energy generated by the Mud Creek S&S hydro project (“Facility”). The Facility is a qualifying facility (“QF”) under the Public Utility Regulatory Policies Act of 1978 (“PURPA”). Idaho Power requests that its Application be processed by Modified Procedure. *Application* at 3. The Commission now issues this Notice of Application, Notice of Modified Procedure and Order setting comment and reply deadlines.

**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED Idaho Power and H K Hydro have entered into the Amendment to an energy sales agreement (“ESA”) that was executed on October 5, 2016, for the purchase and sale of energy produced by Mud Creek. The ESA was approved by the Commission in Order No. 33692.

YOU ARE FURTHER NOTIFIED the ESA contains provisions providing for the Seller’s Adjustment of Estimated Net Energy Amounts in its Section 6.2.3. *Id.* at 2.

YOU ARE FURTHER NOTIFIED that Idaho Power represents the Amendment deletes the current Section 6.2.3 of the ESA, and replaces it with a new Section 6.2.3 which adjusts the notification requirements for Estimated Net Energy Amounts set forth in the ESA. *Id.* at 2-3.

YOU ARE FURTHER NOTIFIED that Idaho Power asserts the Amendment does not otherwise change any of the obligations of the Company or the Seller. *Id.* at 2.

YOU ARE FURTHER NOTIFIED that the Company requests the Application be processed by Modified Procedure. *Id.* at 3.

YOU ARE FURTHER NOTIFIED that the Company requests the Commission issue an Order accepting the Amendment without change or amendment. *Id.* at 3-4.

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* §§ 61-501, 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 any person desiring to state a position on this Application **must file a written comment in support or opposition with the Commission by no later than April 3, 2020.** The written comment must contain a statement of reasons supporting it. 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  
P.O. Box 83720  
Boise, ID 83720-0074

**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

Street Address for Express Mail:

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

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 no later than April 10, 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 a formal hearing.

### **ORDER**

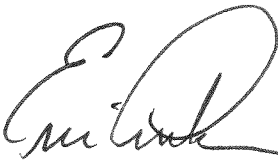
IT IS HEREBY ORDERED that the Application of the Company be processed by Modified Procedure, Rule 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so by no later than April 3, 2020. The Company must file any reply comments by no later than April 10, 2020.

//

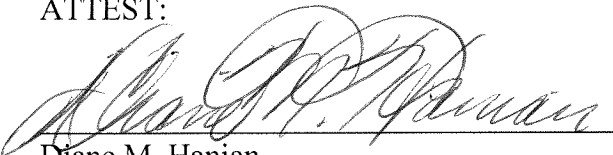
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this day of 13<sup>th</sup>  
March 2020.

  
\_\_\_\_\_  
PAUL KJELLANDER, PRESIDENT

  
\_\_\_\_\_  
KRISTINE RAPER, COMMISSIONER

  
\_\_\_\_\_  
ERIC ANDERSON, COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
Diane M. Hanian  
Commission Secretary

I:\Legal\ELECTRIC\IPC-E-20-09\IPCE2009\_ntc app mod proc\_jh.docx