

DECISION MEMORANDUM

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

FROM: MATT HUNTER
DEPUTY ATTORNEY GENERAL

DATE: APRIL 16, 2020

SUBJECT: IN THE MATTER OF IDAHO POWER COMPANY'S APPLICATION FOR APPROVAL OF AN ENERGY SALES AGREEMENT WITH RUSSELL LEMOYNE, FOR THE SALE AND PURCHASE OF ELECTRIC ENERGY FROM THE LEMOYNE HYDRO PROJECT; CASE NO. IPC-E-20-12

On March 10, 2020, Idaho Power Company ("Idaho Power" or "Company") filed an Application requesting consideration of an Energy Sales Agreement ("ESA" or "Agreement") with Russell LeMoyne for energy generated by the LeMoyne Hydro Project ("Facility"). Application at 1. The Facility is a 75-kilowatt nameplate capacity hydro facility near Hagerman, Idaho. *Id.* at 4. The Facility is a qualifying facility under the Public Utility Regulatory Policies Act of 1978. *Id.* The Facility has a scheduled First Energy Date under the ESA of June 22, 2020. *Id.* at 5.

THE APPLICATION

The Facility has been delivering energy to Idaho Power in accordance with an energy sales agreement dated April 23, 1985, which expires June 21, 2020. *Id.* at 4. The Company states that the Agreement contains published non-seasonal, non-levelized avoided cost rates for a 10-year term. *Id.* The Company requests the Commission declare all payments for purchase of energy under the ESA be allowed as prudently incurred expenses for ratemaking purposes. *Id.* at 6.

STAFF RECOMMENDATION

Staff recommends the Commission issue a Notice of Application and Notice of Modified Procedure, setting a May 13, 2020 comment deadline and a May 20, 2020 reply comment deadline.

COMMISSION DECISION

Does the Commission wish to issue a Notice of Application and Notice of Modified Procedure, setting a May 13, 2020 comment deadline, and a May 20, 2020 reply comment deadline?



Matt Hunter
Deputy Attorney General

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