

## 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 WHITE WATER POWER COMPANY INC, FOR THE SALE AND PURCHASE OF ELECTRIC ENERGY FROM THE WHITE WATER RANCH HYDRO PROJECT; CASE NO. IPC-E-20-13

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 White Water Power Company Inc for energy generated by the White Water Ranch Hydro Project (“Facility”). Application at 1. The Facility is a 170-kilowatt<sup>1</sup> (“kW”) nameplate capacity hydro facility near Gooding, Idaho. *Id.* at 4; *see* Motion for Approval of First Amendment to Energy Sales Agreement, Case No. IPC-E-20-13. 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 August 1, 2020. *Id.* at 5.

### THE APPLICATION

The Facility has been delivering energy to Idaho Power in accordance with an energy sales agreement dated February 24, 1984, which expires July 31, 2020. *Id.* at 4. The Company states that the Agreement contains published non-seasonal, non-levelized avoided cost rates for a 20-year term. *Id.* The Company requests the Commission declare all payments for purchase of

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<sup>1</sup> On April 3, 2020, Idaho Power filed a motion to amend the ESA to correct the nameplate capacity of the Facility. The ESA filed with the Commission on March 10, 2020 stated the Facility’s nameplate capacity as 160 kW, but White Water Power Company Inc later provided information to Idaho Power that showed the Facility’s nameplate capacity has been 170 kW since 1988.

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?

A handwritten signature in blue ink, appearing to read "Matt Hunter", is written over a horizontal line.

Matt Hunter  
Deputy Attorney General

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