

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF BLACK MESA) CASE NO. IPC-E-20-17
ENERGY, LLC'S FORMAL COMPLAINT TO)
ESTABLISH A LEGALLY ENFORCEABLE) NOTICE OF REINSTATEMENT
OBLIGATION) OF BRIEFING SCHEDULE
)
)
) **ORDER NO. 34849**
)

On March 17, 2020, Black Mesa Energy, LLC, (“Black Mesa”) filed a formal complaint against Idaho Power Company (“Idaho Power”) asserting that Black Mesa had formed a legally enforceable obligation with Idaho Power to buy its energy pursuant to the Public Utility Regulatory Policies Act of 1978 (“PURPA”).

On April 2, 2020, the Commission issued a Summons to Idaho Power notifying the Company that a formal complaint had been filed against it and directing the Company to answer the complaint within 21 days.

On April 23, 2020, the Company filed an Answer and Motion to Dismiss.

On May 6, 2020, the Commission granted Black Mesa’s Motion to Extend Time. Order No. 34663.

On May 15, 2020, Black Mesa filed an Answer to Idaho Power’s Motion to Dismiss.

On July 10, 2020, the Commission denied Idaho Power’s Motion to Dismiss and set briefing deadlines for the parties. Order No. 34715.

On August 5, 2020, the Commission granted Black Mesa’s Unopposed Motion to Stay Briefing Schedule in order to allow the parties time to pursue settlement negotiations. Order No. 34747.

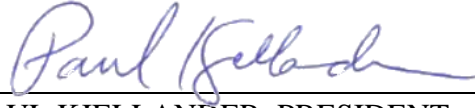
On November 13, 2020, Black Mesa submitted a Motion to Reinstate Briefing Schedule. Having reviewed the record, including the unopposed motion, the Commission finds good reason to reinstate the briefing schedule as recommended by the parties. The Commission also directed at its November 17, 2020 public decision meeting that Commission Staff be provided an opportunity to brief the issues. *See* IDAPA 31.01.01.037.

ORDER

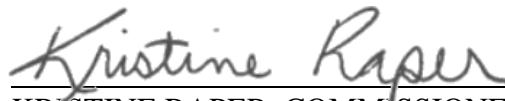
IT IS HEREBY ORDERED that Black Mesa’s Motion to Reinstate Briefing Schedule is granted. Black Mesa’s Initial Brief is due December 14, 2020. Idaho Power’s Reply Brief and

Commission Staff's Brief are due January 11, 2021. Black Mesa's Rebuttal Brief is due January 21, 2021.

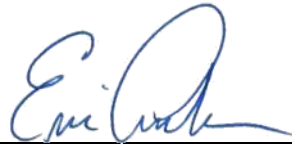
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 25th day of November 2020.



PAUL KJELLANDER, PRESIDENT

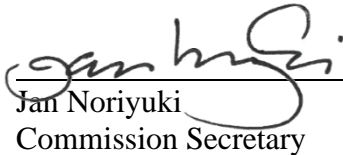


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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