

## BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

|                                      |   |                              |
|--------------------------------------|---|------------------------------|
| <b>IN THE MATTER OF IDAHO POWER</b>  | ) | <b>CASE NO. IPC-E-20-20</b>  |
| <b>COMPANY'S APPLICATION FOR</b>     | ) |                              |
| <b>APPROVAL OF A FIRST AMENDMENT</b> | ) | <b>NOTICE OF APPLICATION</b> |
| <b>TO THE ENERGY SALES AGREEMENT</b> | ) |                              |
| <b>WITH WILLIAM ARKOOSH FOR THE</b>  | ) | <b>NOTICE OF</b>             |
| <b>SALE AND PURCHASE OF ELECTRIC</b> | ) | <b>MODIFIED PROCEDURE</b>    |
| <b>ENERGY FROM THE LITTLE WOOD</b>   | ) |                              |
| <b>RIVER RANCH II HYDRO PROJECT</b>  | ) | <b>ORDER NO. 34645</b>       |
|                                      | ) |                              |

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On April 3, 2020, Idaho Power Company ("Idaho Power") filed an Application seeking approval of the first amendment ("Amendment") to its Energy Sales Agreement ("ESA") with William Arkoosh ("Seller"). The ESA falls under the Public Utility Regulatory Policies Act of 1978 ("PURPA") and is a contract for the sale and purchase of electric energy generated by the Little Wood River Ranch II Hydro Project—a PURPA qualifying facility. The Amendment addresses when the Seller must notify the Company in order to revise future monthly Estimated Net Energy Amounts. Idaho Power asks that the Commission process its Application by Modified Procedure.

The Commission now sets deadlines for interested persons to comment on the Application, and for Idaho Power to reply.

### NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Commission approved Idaho Power's ESA with the Seller in 2014. Order No. 33103. Idaho Power asks the Commission to approve the Amendment to the ESA, which the parties agreed to on April 3, 2020.

YOU ARE FURTHER NOTIFIED that the Amendment changes when the Seller must notify Idaho Power in order to revise future monthly Estimated Net Energy Amounts. Currently, Section 6.2.3 of the ESA requires the Seller to notify Idaho Power at least one month before the Seller revises a given month's Estimated Net Energy Amount. The Amendment states that "[a]fter the Operation Date, the Seller must revise any future monthly Estimated Net Energy Amounts by providing written notice no later than 5 PM Mountain Standard time on the 25<sup>th</sup> day of the month that is prior to the month to be revised." Application, Attachment 1. If the 25<sup>th</sup> day falls on a

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weekend or holiday, Idaho Power must receive written notice by the last business day prior to the 25<sup>th</sup> day of the month.

YOU ARE FURTHER NOTIFIED that the Amendment provides the following example: "...if the Seller would like to revise the Estimated Net Energy Amount for October, they would need to submit a revised schedule no later than September 25 or the last business day prior to the September 25." Application, Attachment 1.

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 "ELECTRIC" icon, select "Open 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 to 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 or party desiring to state a position on this Application must file a written comment in support or opposition with the Commission **by May 14, 2020**. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be sent electronically, unless email is not available, to the Commission and the Applicant at the email addresses reflected below:

**For the Idaho Public Utilities  
Commission:**

Commission Secretary  
Idaho Public Utilities Commission  
P.O. Box 83720  
Boise, ID 83720-0074

Street Address for Express Mail:

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

**For Idaho Power:**

Donovan E. Walker  
Energy Contracts  
Idaho Power Company  
1221 West Idaho Street 83702  
P.O. Box 70  
Boise, ID 83707-0070  
Email: [dwalker@idahopower.com](mailto:dwalker@idahopower.com)  
[dockets@idahopower.com](mailto:dockets@idahopower.com)  
[energycontracts@idahopower.com](mailto:energycontracts@idahopower.com)

Comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via email may do so by accessing the Commission's home page located at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Case Comment Form" under "Consumers," and complete the comment form using the case number as it appears on the front of this document. These comments must also be sent to the Applicant.

**YOU ARE FURTHER NOTIFIED** that Idaho Power must file any reply comments **by May 21, 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 formal hearing.

**ORDER**

IT IS HEREBY ORDERED that Idaho Power's Application be processed by Modified Procedure, Rule 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so by May 14, 2020. The Company must file any reply comments by May 21, 2020.

IT IS FURTHER ORDERED that parties should continue to comply with Order No. 34602, issued March 17, 2020. All pleadings should be filed with the Commission electronically and shall be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should also be accomplished electronically. Voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

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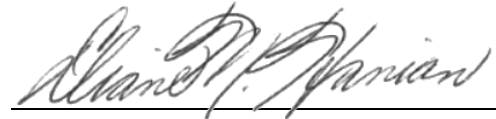
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 23<sup>rd</sup>  
day of April, 2020.

  
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PAUL KJELLANDER, PRESIDENT

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

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

ATTEST:

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

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