

DECISION MEMORANDUM

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

**FROM: DAYN HARDIE
DEPUTY ATTORNEY GENERAL**

DATE: MAY 7, 2020

**SUBJECT: IN THE MATTER OF IDAHO POWER COMPANY’S APPLICATION FOR
APPROVAL OR REJECTION OF AN ENERGY SALES AGREEMENT
WITH BRIGGS CREEK HYDRO, INC., FOR THE SALE AND PURCHASE
OF ELECTRIC ENERGY FROM THE BRIGGS CREEK HYDRO
PROJECT; CASE NO. IPC-E-20-22.**

On April 21, 2020, Idaho Power Company (“Idaho Power” or “Company”) filed an Application requesting consideration of an Energy Sales Agreement (“ESA” or “Agreement”) with Briggs Creek Hydro, Inc. (“Briggs Creek”) for energy generated by the Briggs Creek hydro project (“Facility”). The Facility is a 600-kilowatt nameplate capacity hydro facility near Buhl, Idaho. The Facility is a qualifying facility (“QF”) under the Public Utility Regulatory Policies Act of 1978. The Facility has a Scheduled First Energy Date under the ESA of October 1, 2020. The Company requests that its Application be processed by Modified Procedure and the Commission make its determination before September 30, 2020.

THE APPLICATION

The Facility has been delivering energy to Idaho Power under a power sales agreement dated June 21, 1984, which expires September 30, 2020. The Company states that the replacement Agreement contains published non-seasonal, non-levelized hydro published avoided cost rates for a 20-year term. Additionally, the Agreement contains capacity payments for the entire term of the Agreement. The Company requests the Commission declare all payments for purchase of energy under the ESA be allowed as prudently incurred expenses for ratemaking purposes.

STAFF RECOMMENDATION

Staff recommends the Commission issue a Notice of Application and Notice of Modified Procedure and set a twenty-one (21) day public comment deadline and a seven (7) day Company reply comment deadline.

COMMISSION DECISION

Does the Commission wish to issue a Notice of Application and Notice of Modified Procedure and set a twenty-one day (21) public comment deadline and a seven (7) day Company reply comment deadline?



Dayn Hardie
Deputy Attorney General