

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF IDAHO POWER ) CASE NO. IPC-E-20-34**  
**COMPANY’S APPLICATION FOR )**  
**APPROVAL OR REJECTION OF AN ) NOTICE OF APPLICATION**  
**ENERGY SALES AGREEMENT WITH )**  
**SHAWPATIN AGCAP, LLC, FOR THE SALE ) NOTICE OF**  
**AND PURCHASE OF ELECTRIC ENERGY ) MODIFIED PROCEDURE**  
**FROM THE MUD CREEK WHITE HYDRO )**  
**PROJECT ) ORDER NO. 34800**

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On September 3, 2020, Idaho Power Company (“Idaho Power”) asked the Commission to consider an Energy Sales Agreement (“ESA” or “Agreement”) with Shawpatin AgCap, LLC for energy generated by the Mud Creek White Hydro Project (“Facility”). The Facility is a qualifying facility under the Public Utility Regulatory Policies Act of 1978. The Facility has a scheduled First Energy Date under the ESA of January 1, 2021.

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 Facility is a 268.6-kilowatt nameplate capacity hydro facility near Buhl, Idaho. The Agreement contains published non-seasonal, non-levelized avoided cost rates for a 20-year term.

YOU ARE FURTHER NOTIFIED that the Facility has been delivering energy to Idaho Power under an energy sales agreement dated April 15, 1985, which expires December 31, 2020.

YOU ARE FURTHER NOTIFIED that Idaho Power requests the Application be processed by Modified Procedure. Idaho Power also asks the Commission to declare Idaho Power’s purchases under the ESA will be allowed as prudently incurred expenses for ratemaking purposes.

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 will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities 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 persons desiring to state a position on this Application may file a written comment explaining why the person supports or opposes the Application. Persons who would like a hearing must specifically request a hearing in their written comments. **Persons shall have until November 19, 2020 to file written comments.** Comments must be filed by e-mail unless e-mail is unavailable. To comment by e-mail, please access the Commission’s home page at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the “Consumers” tab and then “Case Comment Form” and complete the form using the case number as it appears on the front of this document. Comments filed by e-mail must also be e-mailed to Idaho Power at the e-mail addresses listed below. If e-mail is unavailable, then comments may be mailed to the Commission and Idaho Power at these addresses:

**For the Idaho Public Utilities  
Commission:**

Commission Secretary  
Idaho Public Utilities Commission  
P.O. Box 83720  
Boise, ID 83720-0074  
[secretary@puc.idaho.gov](mailto:secretary@puc.idaho.gov)

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  
[dwalker@idahopower.com](mailto:dwalker@idahopower.com)  
[dockets@idahopower.com](mailto:dockets@idahopower.com)  
[energycontracts@idahopower.com](mailto:energycontracts@idahopower.com)

YOU ARE FURTHER NOTIFIED that Idaho Power must file any reply comments **by December 3, 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 November 19, 2020. Idaho Power must file any reply comments by December 3, 2020.

IT IS FURTHER ORDERED that parties should continue to comply with Order No. 34781, issued September 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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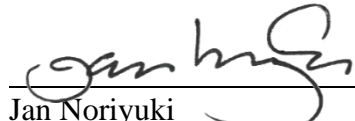
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 2<sup>nd</sup>  
day of October 2020.

  
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PAUL KJELLANDER, PRESIDENT

  
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KRISTINE RAPER, COMMISSIONER

  
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ERIC ANDERSON, COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
Jan Noriyuki  
Commission Secretary

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