

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	CASE NO. IPC-E-20-37
OF IDAHO POWER COMPANY FOR)	
APPROVAL OR REJECTION OF AN)	NOTICE OF APPLICATION
ENERGY SALES AGREEMENT WITH THE)	
CITY OF POCATELLO)	NOTICE OF
)	MODIFIED PROCEDURE
)	
)	ORDER NO. 34848
)	

On November 12, 2020, Idaho Power Company (“Company”) asked the Commission to approve or reject the Company’s proposed Energy Sales Agreement (“ESA”) with the City of Pocatello, Idaho (“Seller”) for the energy generated by the Pocatello Waste Project (the “Facility”). *Application* at 1. The Facility is a qualifying facility (“QF”) under the Public Utility Regulatory Policies Act of 1978 (“PURPA”). The Company requests that its Application be processed by Modified Procedure. *Id.* at 8. The Commission now issues this Notice of Application, Notice of Modified Procedure and Order setting comment and reply deadlines.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Company and Seller have entered the ESA, which was signed by the Seller on November 5, 2020 and by the Company on November 9, 2020. *ESA* at 34.

YOU ARE FURTHER NOTIFIED that the Company states that the Seller is seeking a replacement agreement for a previous energy sales agreement with the Company that was executed on April 24, 1985 and expires on December 31, 2020. *Id.* at 2.

YOU ARE FURTHER NOTIFIED that under the ESA, the Seller would sell the electric energy generated by the Facility to the Company at published non-levelized, “Other” avoided cost rates as set by Order No. 34683 for a 20-year term. *Id.* at 4.

YOU ARE FURTHER NOTIFIED that the Company states the replacement ESA contains capacity payments for its entire term, with no sufficiency period. *Id.* at 2.

YOU ARE FURTHER NOTIFIED that the Company represents the ESA was executed in compliance with past Commission orders. *Id.*

YOU ARE FURTHER NOTIFIED that the Company requests the Commission issue an order approving or rejecting the ESA and, if approved, declaring all payments for the purchases of energy under the proposed ESA to be allowed as prudently incurred expenses for ratemaking purposes. *Id.* at 8.

YOU ARE FURTHER NOTIFIED that the Application is available for public inspection during regular business hours at the Commission offices. These documents are also available on the Commission's web site at www.puc.idaho.gov. Click on the "ELECTRIC" tab, then 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, 61-502 and 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 persons desiring to state a position on this Application **may file a written comment in support or opposition with the Commission within twenty-one (21) days from the service date of this Notice.** The written comment must contain a statement of reasons supporting it. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application must be sent electronically, unless e-mail is not available. To comment by e-mail, please access the Commission's home page at 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 the Company at the e-mail addresses listed below. If e-mail is unavailable, then comments may be mailed to the Commission and Company at these addresses:

**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, ID 83714

For Idaho Power Company:

Donovan E. Walker
Energy Contracts
Idaho Power Company
1221 West Idaho Street 83702
P.O. Box 70
Boise, ID 83707-0070

E-Mail: dwalker@idahopower.com
dockets@idahopower.com
energycontracts@idahopower.com

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments within twenty-eight (28) days from the service date of this Notice.

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 a formal hearing.

ORDER

IT IS HEREBY ORDERED that the Company'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 within twenty-one (21) days from the service date of this Notice. The Company must file any reply comments within twenty-eight (28) days from the service date of this Notice.

IT IS FURTHER ORDERED that parties 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 day of 25th
November 2020.



PAUL KJELLANDER, PRESIDENT

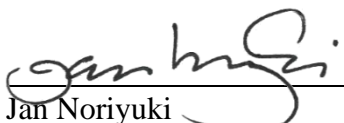


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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