

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF IDAHO POWER ) CASE NO. IPC-E-21-09**  
**COMPANY’S APPLICATION FOR )**  
**APPROVAL OF THE CAPACITY ) NOTICE OF MODIFIED**  
**DEFICIENCY TO BE UTILIZED FOR ) PROCEDURAL SCHEDULE**  
**AVOIDED COST CALCULATIONS )**  
**) ORDER NO. 35091**  
**)**

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On April 9, 2021, Idaho Power Company (“Company”) applied for Commission approval of its capacity deficiency period determination for avoided cost calculations under the Public Utility Regulatory Policies Act of 1978. In its Application, the Company anticipated its capacity deficiency period will begin in August 2028 and explained how this capacity deficiency period was calculated.

On April 28, 2021, the Commission issued a Notice of Application and Modified Procedure, setting a June 23, 2021 comment deadline and a June 30, 2021 reply comment deadline. On June 10, 2021, Industrial Customers of Idaho Power (“ICIP”) filed with the Commission a document making three separate pleadings: a request to intervene, a motion to stay the procedural schedule to provide time for discovery, and a preliminary objection to the use of modified procedure. On June 14, 2021, Idaho Hydroelectric Power Producers Trust dba IdaHydro (“IdaHydro”) joined the ICIP’s motion and also petitioned to intervene.

The Commission addressed ICIP’s filing at its June 22, 2021, decision meeting. It was recognized that the requests for intervention have been granted. *See* Order No. 35084. The Commission also noted that the objection to the use of modified procedure was premature. If necessary, the motion may be renewed during the comment process if parties determine that the allowance for discovery and opportunity for comment has been inadequate in addressing the issues. Finally, the Commission denies ICIP’s motion to stay the procedural schedule, but finds it reasonable to vacate the current comment deadlines and set new comment deadlines to allow for additional discovery.

**NOTICE OF NEW COMMENT DEADLINES**

YOU ARE HEREBY NOTIFIED that the Commission denies the ICIP’s motion to stay the procedural schedule in this proceeding. However, considering the need for additional

discovery identified by ICIP, IdaHydro, and Commission Staff, the Commission vacates the comment deadlines set in Order No. 35023 and sets new comment deadlines.

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 July 21, 2021 to file written comments.** Comments must be filed by email unless email is unavailable. To comment by email, 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 email must also be emailed to the Company at the email addresses listed below. If email is unavailable, then comments may be mailed to the Commission and the Company 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 Company:**

Donavan E. Walker  
Regulatory Dockets  
1221 West Idaho Street (83702)  
P.O. Box 70  
Boise, ID 83707  
[dwalker@idahopower.com](mailto:dwalker@idahopower.com)  
[dockets@idahopower.com](mailto:dockets@idahopower.com)

Energy Contracts  
1221 West Idaho Street (83702)  
P.O. Box 70  
Boise, ID 83707  
[energycontracts@idahopower.com](mailto:energycontracts@idahopower.com)

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **by July 28, 2021.**

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 ICIP's motion objecting to the use of modified procedure is premature. Parties may renew an objection in comments if they deem the allowance for discovery and comments inadequate in addressing the issues.

IT IS FURTHER ORDERED that ICIP's motion to stay the procedural schedule is denied.

IT IS FURTHER ORDERED that the comment deadlines established in Order No. 35023 are vacated. Persons who wish to submit written comments must do so by July 21, 2021. The Company must file any reply comments by July 28, 2021.

IT IS FURTHER ORDERED that parties should continue to comply with Order No. 35058, issued June 3, 2021. 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.

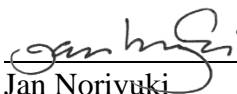
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 25<sup>th</sup> day of June 2021.

  
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PAUL KJEELLANDER, PRESIDENT

  
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KRISTINE RAPER, COMMISSIONER

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

ATTEST:

  
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Jan Noriyuki  
Commission Secretary

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