

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER) CASE NO. IPC-E-21-20
COMPANY’S APPLICATION TO)
APPROVE 2021 SERVICE AGREEMENT) NOTICE OF APPLICATION
WITH THE UNITED STATES)
DEPARTMENT OF ENERGY) NOTICE OF
) MODIFIED PROCEDURE
)
) ORDER NO. 35098

On June 23, 2021, Idaho Power Company (“Company”) filed an Application for approval of its new service agreement with the United States Department of Energy (“DOE”) for service at the Idaho National Laboratory (INL).

The Idaho Public Utilities Commission (“Commission”) now sets deadlines for interested persons to comment on the Application and for the Company to reply.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the current agreement, approved in Order No. 33621, expires on September 14, 2021, and the new agreement is set to become effective on September 15, 2021. The Company asks the Commission to process the Application using Modified Procedure. If the processing of this case extends beyond September 15, 2021, the Company asks for an extension of the expiring agreement until the new agreement is approved.

YOU ARE FURTHER NOTIFIED that “[the Company] has supplied electric service to the DOE and its predecessors since 1950 and currently serves DOE under a special contract in accordance with the rates and charges set out in Electric Service Rate Schedule 30 (“Schedule 30”) and its successor schedules.” Application at 2. The Company and DOE successfully negotiated the terms and conditions of the new 2021 special services agreement that has been signed by the contracting parties and is attached to the Company’s Application. Attachment 1.

YOU ARE FURTHER NOTIFIED that the Company’s 2021 Agreement with DOE includes the following terms:

Term. The agreement begins September 15, 2021, and ends September 14, 2031, subject to the Commission’s approval. Application at 5. DOE has the right to terminate the 2021 Agreement on eighteen (18) months’ advance written notice to Idaho Power, subject to certain termination charges outlined in Section 6 of the 2021 Agreement. *Id.*

Services provided by the Company through calendar year 2024. The Company agrees to provide the DOE up to 65,000 kilowatts (kW) monthly for the operation of facilities at the INL through calendar year 2024. *Id.* at 2 and 3. The DOE may request additional power requirements. *Id.* at 3. DOE may request additional power with eighteen (18) months' written notice in advance of the first day of the month DOE desires the additional power requirements be made available. *Id.* The Company will have sole discretion to grant or deny any request. *Id.* The Company's discretion will include an analysis of its obligation to provide reliable and cost-effective service to all customers. *Id.*

Services provided by the Company after calendar year 2024. DOE and the Company agree to engage in good faith negotiations to determine new rates, conditions, and charges for INL's anticipated increase in power requirements estimated to occur in 2025 and beyond as provided in the 2021 Agreement. *Id.*

Contract Charges to be Paid to the Company. Under the 2021 Agreement, the DOE will pay Idaho Power the monthly rate charges set forth in Schedule 30 for firm retail service of electric power and energy to the DOE at the INL site as provided in the 2021 Agreement. *Id.* at 4.

On-Site Generation. Under the 2021 Agreement, DOE reserves the right to install and operate generation at the INL site to offset all or part of DOE's energy usage as provided in the 2021 Agreement. *Id.*

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. 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* §§ 61-503, 61-622.

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 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 August 18, 2021, to file written comments.** Comments must be filed through the Commission website or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission's home page at www.puc.idaho.gov. Click the "Case Comment Form" and complete the form using the case number as it appears on the front of this document. To file by e-mail, the customer must e-mail the comments to the e-mail addresses listed below. In addition to submitting the comments to the Commission Secretary, the customer must also e-mail the Company at the e-mail addresses listed below if provided by the Company. If computer access 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
secretary@puc.idaho.gov

Street Address for Express Mail:

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

For Idaho Power Company:

Lisa D. Nordstrom
Alison Williams
Idaho Power Company
1221 W. Idaho Street
P.O. Box 70
Boise, ID 83707-0070
lnordstrom@idahopower.com
dockets@idahopower.com
awilliams@idahopower.com

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **by August 25, 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 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 by August 18, 2021. The Company must file any reply comments by August 25, 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 9th day of July 2021.



PAUL KJELLANDER, PRESIDENT

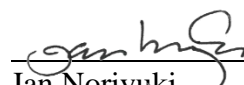


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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