

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER)	CASE NO. IPC-E-21-42
COMPANY’S APPLICATION FOR)	
APPROVAL OF SPECIAL CONTRACT AND)	
TARIFF SCHEDULE 33 TO PROVIDE)	ORDER NO. 35820
ELECTRIC SERVICE TO BRISBIE, LLC’S)	
DATA CENTER FACILITY)	
)	

On December 22, 2021, Idaho Power Company (“the Company”) applied to the Idaho Public Utilities Commission (“Commission”) seeking approval of a special contract for electric service between the Company and Brisbie, LLC (“Brisbie”) for Brisbie’s new enterprise data center, for rates proposed in Tariff Schedule 33, and approval of the regulatory framework for the on-going implementation and administration of the special contract without change or condition.

On January 21, 2022, the Commission issued a Notice of Application and set a 14-day intervention deadline. Order No. 35293. Clean Energy Opportunities for Idaho (“CEO”) was granted intervention into this case. Order No. 35318. There were no other intervenors.

On May 11, 2023, the Commission issued Final Order No. 35777 approving the Company’s ESA for electric service between the Company and Brisbie subject to several modifications.

On May 23, 2023, CEO petitioned for clarification seeking to better understand if the Commission intended for it to be involved in discussions about the treatment of “Schedule 33 costs, revenues, and loads in base rates.” CEO Petition at 2, 3.

Neither Staff nor the Company responded to CEO’s Petition.

Having reviewed the Petition we now issue this Order clarifying our intent that CEO may participate in related workshops.

THE PETITION

CEO explained that its primary reason for intervening in Case No. IPC-E-21-42 was not specifically to focus on the details of the Company and Brisbie’s agreement, but rather to understand how it might affect other applicants and customers. CEO’s reason for intervening—and its reason for continuing to be involved in the Company’s other dockets—was to participate in discussions about how Schedule 33’s costs, revenues, and loads will be treated in customer rates.

STANDARD OF REVIEW

Any person may petition the Commission to clarify an order under Commission Rule of Procedure 325, IDAPA 31.01.01.325. Petitions for clarification do not suspend or toll the timing requirements for petitions for reconsideration. Petitions for clarification may be combined with petitions for reconsideration.

COMMISSION DISCUSSION AND FINDINGS

Having reviewed CEO’s Petition we issue this Order clarifying that our intent in Order No. 35777 was for CEO to be included in workshops related to treatment of Schedule 33’s costs, revenues, and loads as applied to base rates.

ORDER

IT IS HEREBY ORDERED that CEO’s Petition for Clarification is granted. CEO may participate in workshops related to treatment of Schedule 33’s costs, revenues, and loads as applied to base rates.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within 21 days of the service date of this Order. Within seven days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code § 61-626.*

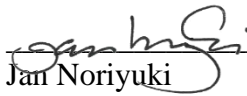
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 20th day of June 2023.


ERIC ANDERSON, PRESIDENT


JOHN R. HAMMOND, JR., COMMISSIONER


EDWARD LODGE, COMMISSIONER

ATTEST:


Jan Noriyuki
Commission Secretary

I:\Legal\ELECTRIC\IPC-E-21-42 Brisbie\orders\IPCE2142_final clarification_dh.docx