

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER) CASE NO. IPC-E-22-03
COMPANY’S APPLICATION REGARDING)
THE FIRST AMENDMENT TO THE)
ENERGY SALES AGREEMENT WITH) ORDER NO. 35368
EIGHTMILE HYDRO CORPORATION FOR)
THE SALE AND PURCHASE OF ENERGY)
FROM THE EIGHTMILE HYDRO PROJECT)
)
)

On February 11, 2022, Idaho Power Company (“the Company”) applied to the Idaho Public Utilities Commission (“Commission”) for approval or rejection of the First Amendment to the Energy Sales Agreement (“ESA”) between the Company and Eightmile Hydro Corporation (“Seller”). *Application* at 1. The First Amendment seeks to adjust the Net Energy Amount (“NEA”) estimate from a thirty-day notice requirement to a five-day notice requirement. *Id.* at 2.

On February 25, 2022, the Commission issued a Notice of Application and Notice of Modified Procedure setting deadlines for public comments and the Company’s reply. *See* Order No. 35327. The Commission Staff (“Staff”) was the only party to file comments.

The Commission now issues this final Order approving the Company’s Application.

THE APPLICATION

The ESA between the Company and Seller was approved on May 5, 2014. *Application* at 2. Currently, Section 6.2.3 of the ESA allows Seller to adjust the Monthly Net Energy Amounts (“NEA”) at least thirty days in advance. *Id.* The First Amendment to the ESA proposes to delete Section 6.2.3 and replace it with new language permitting a five-day advance notice adjustment period for the NEA as opposed to a thirty-day advance notice requirement. *Id. Id.* at 3. The Amendment does not change any other obligations or provisions in the ESA. *Id.*

STAFF COMMENTS

Staff believed the five-day advanced notice would improve accuracy of input used for short-term operational planning because monthly estimates provided closer to the time of delivery would be more accurate than 30-day advanced notices. *Staff Comments* at 2. Similar five-day advanced notices have been approved by the Commission in Order Nos. 34263, 34870, and 34937.

COMMISSION FINDINGS AND DECISION

The Commission has jurisdiction over this matter under *Idaho Code* §§ 61-501, -502 and -503. The Commission is empowered to investigate rates, charges, rules, regulations, practices, and contracts of public utilities and to determine whether they are just, reasonable, preferential, discriminatory, or in violation of any provision of law, and to fix the same by order. *Idaho Code* §§ 61-502 and -503.

Having reviewed the record, we find the First Amendment to the ESA to be fair, just and reasonable. We agree that a five-day advanced notice as opposed to a thirty-day notice will improve the accuracy of input used for short-term operational planning. Consistent with our previous orders, we find the five-day NEA adjustment period to be within the public interest.

ORDER

IT IS HEREBY ORDERED that the Company's Application is approved.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code* § 61-626.

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DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 11th day of April 2022.



ERIC ANDERSON, PRESIDENT

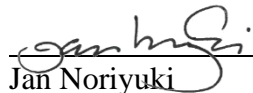


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR., COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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