

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER) CASE NO. IPC-E-22-04
COMPANY’S APPLICATION REGARDING)
THE SECOND AMENDMENT TO THE FIRM)
ENERGY SALES AGREEMENT WITH) ORDER NO. 35369
TWIN FALLS ENERGY COMPANY, INC)
FOR THE SALE AND PURCHASE OF)
ELECTRIC ENERGY FROM THE LOW)
LINE MIDWAY 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 Second Amendment to the Firm Energy Sales Agreement (“FESA”) between the Company and Twin Falls Energy Company, Inc. (“Seller”). *Application* at 1. The Second 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. 35328. 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 FESA between the Company and Seller was approved on September 8, 2005. Order No. 29863. Currently, Section 6.2.3 of the FESA allows the Seller to adjust its monthly estimated Net Energy Amounts (“NEA”) at least thirty days in advance. *Application* at 2. The Second Amendment to the FESA proposes to delete Section 6.2.3 and replace it with new language permitting a five-day advance notice adjustment period for the NEA. *Id.* The Second Amendment to the FESA does not change other obligations or provisions in the original FESA. *Id.* at 3.

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 Second Amendment to the FESA is 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.

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



ERIC ANDERSON, PRESIDENT

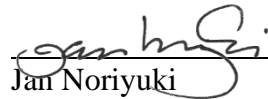


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR., COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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