

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	CASE NO. IPC-E-22-10
OF IDAHO POWER COMPANY FOR)	
APPROVAL OR REJECTION OF AN)	NOTICE OF APPLICATION
ENERGY SALES AGREEMENT WITH)	
FAULKNER BROTHERS HYDRO, FOR THE)	NOTICE OF
SALE AND PURCHASE OF ELECTRIC)	MODIFIED PROCEDURE
ENERGY FROM THE FAULKNER RANCH)	
HYDRO PROJECT.)	ORDER NO. 35397

On April 1, 2022, Idaho Power Company (“Company”) applied for approval or denial of an Energy Sales Agreement (“ESA”) between the Company and Faulkner Brothers Hydro (“Seller”) under which the Company would purchase electric generation from the Faulkner Ranch Hydro Project (“Facility”) located near Bliss, Idaho. The Company represented that the Seller currently has a Public Utility Regulatory Policies Act of 1978 (“PURPA”) energy sales agreement with the Company for the Facility that was executed on December 11, 1986 (“1986 Agreement”). The 1986 Agreement expires on July 31, 2022. The Company requested that the Commission accept or reject the ESA; and, if accepted, declare that all payments for purchases of energy under the ESA be allowed as prudently incurred expenses for ratemaking purposes.

The Commission now provides Notice of the Application and sets public comment and Company reply deadlines.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Company has represented that, on March 21, 2022, the Company and the Seller entered an ESA for a “Non-Seasonal Hydro” project for a 20-year term using the non-levelized, non-seasonal hydro published avoided cost rates as established by the Commission in Order No. 35052, for replacement contracts and for energy deliveries of less than ten average megawatts (“aMW”).

YOU ARE FURTHER NOTIFIED that the Company has represented that the maximum capacity amount for the ESA is 870 kilowatts (“kW”), and the Facility will not exceed ten aMW on a monthly basis. Should the Facility exceed ten aMW on a monthly basis or 870 kW on an hourly basis, the Company would accept the energy (“Inadvertent Energy”) but would not purchase or pay for the Inadvertent Energy. The Company has also represented that the project

configuration in the ESA is the same configuration that has been operating under the 1986 Agreement, and the ESA contains payment for capacity during the full term.

YOU ARE FURTHER NOTIFIED that the Company has represented that the ESA provides that all applicable interconnection charges and monthly operational or maintenance charges under Schedule 72 would be assessed to Seller, and a Schedule 72 Generator Interconnection Agreement between the Seller and the Company is in process, but not yet signed.

YOU ARE FURTHER NOTIFIED that the Application is available for public inspection during regular business hours at the Commission's office. All documents are also available on the Commission's website 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.

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 201-204 of the Commission's Rules of Procedure, IDAPA 31.01.01.201-.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 interested in filing written comments must do so within twenty-one (21) days of the service date of this Order.** Comments must be filed through the Commission's website or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission's website 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, persons must e-mail the comments to the Commission Secretary and the Company at the e-mail addresses listed below. If computer access is unavailable, then comments may be mailed to the Commission and Company at these addresses:

NOTICE OF APPLICATION
NOTICE OF MODIFIED PROCEDURE
ORDER NO.

**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, Suite 201-A
Boise, ID 83714

For Idaho Power Company:

Donovan E. Walker
Idaho Power Company
1221 West Idaho Street (83702)
P.O. Box 70
Boise, ID 83707
dwalker@idahopower.com
dockets@idahopower.com

Energy Contracts
Idaho Power Company
1221 West Idaho Street (83702)
P.O. Box 70
Boise, ID 83707
energycontracts@idahopower.com

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **within twenty-eight (28) days of the service date of this Order.**

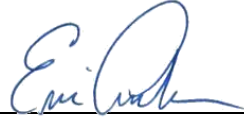
YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its final order without a formal hearing. If written comments are received within the time limit set, the Commission will consider 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, Rules 201-204 (IDAPA 31.01.01.201-.204). Persons interested in filing written comments must do so within twenty-one (21) days from the service date of this Order. The Company must file any reply comments within twenty-eight (28) days of the service date of this Order.

IT IS FURTHER ORDERED that parties comply with Order No. 35375, issued April 21, 2022. Generally, all pleadings should be filed with the Commission electronically and will be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should continue to be accomplished electronically when possible. However, 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 4th day of May 2022.



ERIC ANDERSON, PRESIDENT

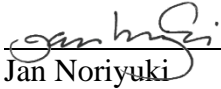


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR., COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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