

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF IDAHO POWER</b>	)	<b>CASE NO. IPC-E-22-19</b>
<b>COMPANY'S APPLICATION FOR</b>	)	
<b>APPROVAL OR REJECTION OF THE</b>	)	<b>NOTICE OF APPLICATION</b>
<b>SECOND AMENDMENT TO ITS ENERGY</b>	)	
<b>SALES AGREEMENT WITH AMERICAN</b>	)	<b>NOTICE OF</b>
<b>FALLS SOLAR, LLC</b>	)	<b>MODIFIED PROCEDURE</b>
	)	
	)	<b>ORDER NO. 35445</b>

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On June 14, 2022, Idaho Power Company ("Company") filed an Application with the Commission requesting approval of the Second Amendment to its Energy Sales Agreement ("ESA") with American Falls Solar, LLC ("Seller") who sells energy generated by the Seller's 20 megawatt solar photovoltaic project ("Facility") located in Power County, Idaho. The Facility is a qualifying facility under the Public Utility Regulatory Policies Act of 1978.

The Idaho Public Utilities Commission ("Commission") now issues this Notice of Application and Notice of Modified Procedure and 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 Commission approved the Company's ESA with the Seller on December 29, 2014, for the purchase and sale of energy from the Facility. Order No. 33200. Application at 2. Section 6.2.2 of the ESA provides the Seller with the option to adjust the monthly estimated Net Energy Amounts ("NEA") within a specified time period. *Id.*

YOU ARE FURTHER NOTIFIED that the Seller's Second Amendment seeks to change the NEA adjustment time period in Section 6.2.2 of the ESA so that the Seller can make adjustments by the 25th day of the preceding month in which a change is requested. *Id.*

YOU ARE FURTHER NOTIFIED that the Company represents that the Second Amendment was executed by the Parties on June 9, 2022 and does not otherwise change any of the obligations of the Parties set forth in the ESA. *Id.* at 3.

YOU ARE FURTHER NOTIFIED that the Application and the Second Amendment, which is attached to the Application, are available for public inspection during regular business hours at the Commission's office. These documents are also available on the Commission's

website at [www.puc.idaho.gov](http://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 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 they support or oppose 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 website or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission’s home page at <http://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 commenter 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:

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**For the Idaho Public Utilities  
Commission:**

Commission Secretary  
Idaho Public Utilities Commission  
P.O. Box 83720  
Boise, ID 83720-0074  
[secretary@puc.idaho.gov](mailto:secretary@puc.idaho.gov)

Street Address for Express Mail:

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Building 8, Ste. 201-A  
Boise, Idaho 83714

**For Idaho Power Company:**

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Megan Goicoechea Allen  
IPC Dockets  
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[dockets@idahopower.com](mailto:dockets@idahopower.com)  
[energycontracts@idahopower.com](mailto: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.**

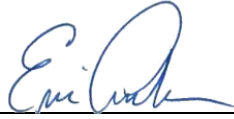
YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, 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 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 23<sup>rd</sup> day of June 2022.



ERIC ANDERSON, PRESIDENT

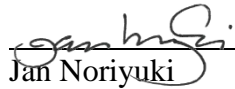


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR., COMMISSIONER

ATTEST:



Jan Noriyuki  
Commission Secretary

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