

## DECISION MEMORANDUM

**TO:** COMMISSIONER ANDERSON  
COMMISSIONER CHATBURN  
COMMISSIONER HAMMOND  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL

**FROM:** RILEY NEWTON  
DEPUTY ATTORNEY GENERAL

**DATE:** JUNE 21, 2022

**SUBJECT:** IN THE MATTER OF IDAHO POWER COMPANY'S APPLICATION FOR APPROVAL OR REJECTION OF THE SECOND AMENDMENT TO ITS ENERGY SALES AGREEMENT WITH AMERICAN FALLS SOLAR, LLC; CASE NO. IPC-E-22-19.

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 Second Amendment seeks to delete Section 6.2.2 of the ESA and replace it with a new Section 6.2.2. The new Section 6.2.2 modifies the Net Energy Amount adjustment period but does not otherwise change any obligations of the Parties set forth in the ESA.

### STAFF RECOMMENDATION

Staff recommends the Commission issue a Notice of Application and Notice of Modified Procedure establishing a 21-day public comment deadline and a 7-day Company reply deadline.

### COMMISSION DECISION

Does the Commission wish to issue a Notice of Application and Notice of Modified Procedure establishing a 21-day public comment deadline and a 7-day Company reply deadline?

  
Riley Newton  
Deputy Attorney General