

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION ) CASE NO. IPC-E-22-20**  
**OF IDAHO POWER COMPANY FOR )**  
**APPROVAL OF A SECOND AMENDMENT ) NOTICE OF APPLICATION**  
**TO THE ENERGY SALES AGREEMENT )**  
**WITH AMERICAN FALLS SOLAR II, LLC ) NOTICE OF**  
**FOR THE SALE AND PURCHASE OF ) MODIFIED PROCEDURE**  
**ELECTRIC ENERGY )**  
**ORDER NO. 35447**

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On June 14, 2022, Idaho Power Company (“Company”) filed an Application with the Idaho Public Utilities Commission (“Commission”) requesting approval of a Second Amendment to its Energy Sales Agreement (“ESA”) with American Falls Solar II, LLC (“Seller”), which sells energy generated by the Seller’s 20-megawatt solar photovoltaic project (“Facility”) located in Power County, State of Idaho. The Company represented that 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 Company represented that the new Section 6.2.2 modifies the Net Energy Amount (“NEA”) adjustment period but does not otherwise change any obligations of the parties set forth in the ESA.

The Commission now provides Notice of the Application, Notice of Modified Procedure, and sets a public comment deadline and Company reply comment deadline.

**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that the Company has represented that Section 6.2.2 of the ESA provides the Seller with the option to adjust the monthly estimated NEA within a specified time period. The Company has represented that the Second Amendment would change the NEA adjustment time period in Section 6.2.2 so that the Seller may make adjustments by the 25th day of the preceding month in which a change is requested but does not change any other obligations set forth in the ESA.

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 <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 201-204 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 <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, 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:

**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:

11331 W. Chinden Blvd.  
Building 8, Suite 201-A  
Boise, ID 83714

**For Idaho Power Company:**

Donovan E. Walker  
Megan Goicoechea Allen  
Idaho Power Company  
1221 West Idaho Street (83702)  
P.O. Box 70  
Boise, ID 83707

[dwalker@idahopower.com](mailto:dwalker@idahopower.com)  
[mgoicoecheaallen@idahopower.com](mailto:mgoicoecheaallen@idahopower.com)  
[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 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.

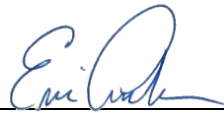
**ORDER**

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.

*[Remainder of this page intentionally left blank]*

DONE by order of the Idaho Public Utilities Commission at Boise, Idaho this 23<sup>rd</sup> day of June 2022.



ERIC ANDERSON, PRESIDENT

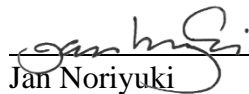


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR., COMMISSIONER

ATTEST:



Jan Noriyuki  
Commission Secretary

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