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Attorney for the Commission Staff

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

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

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Staff of the Idaho Public Utilities Commission (“Staff”), by and through its Attorney of record, Chris Burdin, Deputy Attorney General, submits the following comments.

**BACKGROUND**

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, which modifies the timeframe for adjusting the Net Energy Amount (“NEA”) but

does not otherwise change other obligations of the parties set forth in the ESA. The new timeframe allows the Seller to make adjustments by the 25th day of the preceding month in which a change is requested.

### **STAFF REVIEW**

Staff has reviewed the Application and recommends approval of the five-day advanced notice. Staff believes that monthly estimates that are provided closer to the time of delivery can improve the accuracy of input used for short-term operational planning. In addition, the five-day advanced notice has been authorized in prior Commission orders such as Order Nos. 34263, 34870 and 34937.

### **STAFF RECOMMENDATIONS**

Staff recommends that the Commission approve the Second Amendment to the ESA as filed on June 14, 2022.

Respectfully submitted this 14<sup>th</sup> day of July 2022.



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Chris Burdin  
Deputy Attorney General

Technical Staff: Yao Yin

i: umisc/comments/ipcc22.20cbyy comments


## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 14<sup>th</sup> DAY OF JULY 2022, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. IPC-E-22-20, BY E-MAILING A COPY THEREOF, TO THE FOLLOWING:

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