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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 APPROVAL )** **CASE NO. IPC-E-22-21**  
**OF A SECOND AMENDMENT TO THE )**  
**ENERGY SALES AGREEMENT WITH )**  
**ORCHARD RANCH, LLC FOR THE SALE AND )** **COMMENTS OF THE**  
**PURCHASE OF ELECTRIC ENERGY )** **COMMISSION STAFF**  
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Staff of the Idaho Public Utilities Commission (“Staff”), by and through its attorney of record, Claire Sharp, Deputy Attorney General, and submits the following comments.

**BACKGROUND**

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 Orchard Ranch, LLC (“Seller”), which sells energy generated by the Seller’s 20-megawatt solar photovoltaic project (“Facility”) located in Ada County in Idaho. The Facility is a qualifying facility (“QF”) under the Public Utility Regulatory Policies Act of 1978 (“PURPA”).

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 because monthly estimates 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 RECOMMENDATION**

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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Claire Sharp  
Deputy Attorney General

Technical Staff: Yao Yin

i:umisc/comments/ipce22.21csyy comments

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 14<sup>TH</sup> DAY OF JUNE 2022, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. IPC-E-22-21, BY E-MAILING A COPY THEREOF, TO THE FOLLOWING:

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