

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER) CASE NO. IPC-E-22-23
COMPANY’S APPLICATION FOR)
APPROVAL OF A SECOND AMENDMENT) NOTICE OF APPLICATION
TO THE ENERGY SALES AGREEMENT)
WITH CASSIA WIND FARM, LLC.) NOTICE OF
) MODIFIED PROCEDURE
)
) ORDER NO. 35557
)

On September 12, 2022, Idaho Power Company (“Company” or “Idaho Power”) and Cassia Wind Farm, LLC (“Seller”) (collectively, the “Parties”), filed an application with the Idaho Public Utilities Commission (“Commission”) requesting approval of the Second Amendment to their Energy Sales Agreement (“Second Amendment”) under which the Seller sells the Company “electric energy generated by Seller’s wind generating facility” (“Facility”) located near Hagerman, Idaho. Application at 1. The Facility is a qualifying facility under the Public Utility Regulatory Policies Act of 1978.

The 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.

BACKGROUND

On June 30, 2006, the Commission approved the Parties’ Energy Sales Agreement (“ESA”). Order No. 30086. Under the ESA, the Seller provided electricity to the Company via “5 Suzlon, model S88 Wind turbines with individual generator ratings of 2.1 [megawatts (“MW”)] for each unit, for a total Facility generator rating of 10.5 MW.” Application at 2. The Company represents that, on approximately, June 8, 2019, became inoperable due to a fire. *Id.* The Company states that the Seller was not able to find a comparable model or replacement turbine for Tower 5. *Id.*

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Commission approved the Company’s ESA with the Seller on June 30, 2006, for the purchase and sale of energy from the Facility. Order No. 30086. In 2013, the Commission approved the First Amendment to the ESA, which included additional pricing information adjusting the term of the agreement. *See* Order No. 32850.

YOU ARE FURTHER NOTIFIED that the Second Amendment deletes Section B-1 of the previous ESA and replaces it with the following language:

“The Facility shall consist of four (4) Suzlon model S88 Wind turbines with individual generator ratings of 2.1 MW for each unit, for a total Facility generator rating of 8.4 MW.” Application at 3 (emphasis added). The original ESA provided a Facility generator rating of 10.5 MW with five Suzlon model S88 units as opposed to four.

YOU ARE FURTHER NOTIFIED that the Second Amendment deletes Section B-4 of the previous ESA and replaces it with the following language:

“B-4“MAXIMUM CAPACITY AMOUNT: This value will be 8.4 MW which is the maximum energy (MW) that potentially could be delivered by the Seller’s Facility to the Idaho Power electrical system at any moment in time.” *Id.* (emphasis added).

YOU ARE FURTHER NOTIFIED that the Application and Second Amended ESA are available for public inspection during regular business hours at the Commission’s office. These documents are also available on the Commission’s homepage at 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 the person supports or opposes the Application. Persons who would like a hearing must specifically request a hearing in their written comments. **Persons shall have until October 31, 2022, to file written comments.** Comments

must be filed through the Commission homepage or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission's home page at 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 customer 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

Street Address for Express Mail:

11331 W. Chinden Blvd.
Building 8, Ste. 201-A
Boise, Idaho 83714

For Idaho Power Company:

Donovan E. Walker
Megan Goicoechea
Idaho Power Company
1221 W. Idaho Street
P.O. Box 70
Boise, ID 83707-0070
dwalker@idahopower.com
mgoicoecheaallen@idahopower.com
dockets@idahopower.com

Energy Contracts
Idaho Power Company
1221 W. Idaho Street
Boise, ID 83702
P.O. Box 70
Boise, ID 83707-0070
energycontracts@idahopower.com

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **by November 7, 2022.**

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 by October 31, 2022. The Company must file any reply comments by November 7, 2022.

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 7th day of October 2022.



ERIC ANDERSON, PRESIDENT

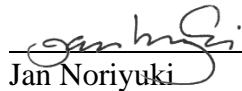


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR., COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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