

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER) CASE NO. IPC-E-23-02
COMPANY’S APPLICATION FOR)
APPROVAL OR REJECTION OF AN) NOTICE OF APPLICATION
ENERGY SALES AGREEMENT WITH)
NORTH SIDE ENERGY COMPANY, INC.) NOTICE OF
FOR THE SALE AND PURCHASE OF) MODIFIED PROCEDURE
ELECTIC ENERGY FROM THE BYPASS)
HYDRO PROJECT) ORDER NO. 35676
)

On January 19, 2023, Idaho Power Company (“Company”) applied for approval or rejection of a proposed energy sales agreement (“ESA”) with North Side Energy Company, Inc. (“Seller”) for the energy generated by the Bypass Hydro Project (“Facility”). The Facility is a qualifying facility (“QF”) under the Public Utility Regulatory Policies Act of 1978 (“PURPA”). The Company requested its Application be processed by Modified Procedure with a Commission determination prior to the existing contract’s expiration on May 31, 2023.

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 and the Seller to reply.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Company represents that the Facility is located on the Snake River near Hazelton, Idaho and has a 9,960 kilowatt (“kW”) nameplate capacity. Application at 2. The Company states that the Seller has been delivering energy from the Facility to the Company under a firm energy sales agreement entered on November 12, 1986, and expiring on May 31, 2023. The Company states that the proposed ESA, executed by the parties on January 3, 2023, contemplates a 20-year term with non-levelized, seasonal hydro published avoided cost rates as set forth in Order Nos. 35422 and 35475 with full capacity payments to the Seller for the entire term. *Id.*

YOU ARE FURTHER NOTIFIED that the proposed ESA requires the Seller to estimate net energy and also adopts a “five-day advanced notice for adjusting Estimated Net Energy Amounts for purposes of complying with 90/110 firmness requirements” *Id.* at 8. The

Company represents that the proposed ESA complies with all applicable federal and state law and Commission orders.

YOU ARE FURTHER NOTIFIED that the Company requests the Commission approve the proposed ESA and declare all payments for the purchase of energy under the proposed ESA be allowed as prudently incurred expenses for ratemaking purposes.

YOU ARE FURTHER NOTIFIED that the Application and the proposed 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 it will review the case through written submissions under the Commission's Rules of Modified Procedure Rules 201-204, 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 they support or oppose the Application. Persons who would like a hearing must specifically request a hearing in their written comments and explain why written comments alone are insufficient. **Persons shall have until March 13, 2023, to file written comments.** Comments must be filed through the Commission's homepage or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission's website 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 Allen
Energy Contracts
Idaho Power Company
P.O. Box 70
Boise, ID 83707-0070
dwalker@idahopower.com
mgoicoecheaallen@idahopower.com
dockets@idahopower.com
energycontracts@idahopower.com

YOU ARE FURTHER NOTIFIED that the Company and Seller must file any reply comments **on or before March 20, 2023**.

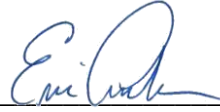
YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, 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, Rules 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so by March 13, 2023. The Company and Seller must file any reply comments by March 20, 2023.

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 6th day of February 2023.



ERIC ANDERSON, PRESIDENT

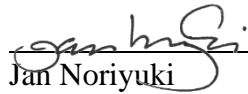


JOHN R. HAMMOND, JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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