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)
ENERGY SALES AGREEMENT WITH)
NORTH SIDE ENERGY COMPANY, INC.) ORDER NO. 35720
FOR THE SALE AND PURCHASE OF)
ELECTIC ENERGY FROM THE BYPASS)
HYDRO PROJECT)
)

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 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.

On February 6, 2023, the Commission issued a Notice of Application and Notice of Modified Procedure establishing a March 13, 2023, Commission Staff ("Staff") and public comment deadline and a March 20, 2023, Company reply comment deadline. Order No. 35676.

Staff filed comments on March 13, 2023.

On March 17, 2023, the Company filed a "Motion for Extension of Time to File Reply Comments" ("Motion") which the Commission granted on the record at its March 21, 2023, Decision Meeting.

COMPANY'S MOTION

The Company explained that some of Staff's recommendations in this case "have broader implications beyond this specific case and overlap with the Commission's directives set forth in Order No. 35705, also issued on March 13, 2023, in the case pertaining to the Lowline #2 Hydro Project (Case No IPC-E-22-28)." Motion at 2. As the Company further explained, this ESA addresses "many of the same issues raised by the Commission's decision" in Case No. IPC-E-22-28 "and must be evaluated in concert with the Company's forthcoming compliance filing" in Case No. IPC-E-22-28 on March 28, 2023. *Id*.

Therefore, the Company believed "it would be useful to work with Staff in an effort to reach alignment on the contract amendments and related issues [in both cases] but has not yet been able to arrange this meeting." *Id.* at 3. The Company stated it was seeking, in a parallel motion, Commission authorization to extend the compliance filing in Case No. IPC-E-22-28 to March 31, 2023. *Id.*¹

Thus, the Company requested Commission authorization to extend the Company reply comment deadline to March 31, 2023, in this case.

COMMISSION DECISION

For the reasons discussed in the Company's Motion and on the record at the Decision Meeting, we find extending the Company reply comment deadline in this case to March 31, 2023, to be fair and reasonable.

ORDER

IT IS HEREBY ORDERED that the Company's Motion is granted. The Company shall have until March 31, 2023, to file reply comments in this case.

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.

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¹ The Commission granted this Motion at its March 21, 2023, Decision Meeting.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 24th day of March 2023.

ERIC ANDERSON, PRESIDENT

IOHN R. HAMMOND, JR., COMMISSIONER

EDWARD LODGE., COMMISSIONER

ATTEST:

Jan Noriyuki
Commission Secretary

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