

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER)	CASE NO. IPC-E-23-20
COMPANY’S APPLICATION FOR A)	
CERTIFICATE OF PUBLIC CONVENIENCE)	ORDER NO. 36016
AND NECESSITY TO ACQUIRE)	
RESOURCES TO BE ONLINE IN BOTH 2024)	
AND 2025 AND FOR APPROVAL OF AN)	
ENERGY STORAGE AGREEMENT WITH)	
KUNA BESS LLC)	
)	

On May 26, 2023, Idaho Power Company (“Company”), filed an application (“Application”) with the Idaho Public Utilities Commission (“Commission”) requesting an order: (1) granting the Company a Certificate of Public Convenience and Necessity (“CPCN”) to acquire a total of 101 megawatts (“MW”) of new dispatchable energy storage to meet identified capacity deficiencies in both 2024 and 2025; (2) approving the 20-year Energy Storage Agreement (“ESA”) between Kuna BESS LLC (“Kuna BESS” or “Seller”) and the Company for 150 MW of dispatchable energy storage capacity; and (3) acknowledging the lease accounting necessary to facilitate the transaction, and that the resulting expenses associated with the ESA are prudently incurred for ratemaking purposes.

On November 27, 2023, the Commission issued Order No. 36011 approving the Company’s Application for a CPCN; establishing soft caps for each project’s turn-key cost; approving the 20-year, 150 MW, ESA with Kuna BESS; and acknowledging lease accounting necessary to facilitate the transaction. As part of the order, the Company was required to submit a compliance filing with an updated ESA showing modifications to Section 19.3. Order No. 36011 at 7. As part of its reply comments, the Company included an attachment containing the First Amendment to the Energy Storage Agreement Between Kuna Bess LLC and Idaho Power Company (“First Amendment”).

COMMISSION FINDINGS AND DECISION

The Commission has jurisdiction over the Company’s Application and the issues in this case under Title 61 of the Idaho Code including *Idaho Code* §§ 61-301 through 303. The Commission is empowered to investigate rates, charges, rules, regulations, practices, and contracts of all public utilities and to determine whether they are just, reasonable, preferential,

discriminatory, or in violation of any provisions of law, and to fix the same by order. *Idaho Code* §§ 61-501 through 503.

Having reviewed the record and all submitted materials, the Commission finds that the First Amendment, as filed by the Company on October 10, 2023, fulfills the compliance filing requirement of Order No. 36011.

ORDER

IT IS HEREBY ORDERED that the First Amendment is approved.

IT IS FURTHER ORDERED that the requirement for the Company to submit a compliance filing under Order No. 36011 has been satisfied.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date upon this Order regarding any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *Idaho Code* §§ 61-626 and 62-619.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho, this 1st day of December 2023.



ERIC ANDERSON, PRESIDENT



JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Monica Barrios Sanchez
Interim Commission Secretary

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