

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER)	CASE NO. IPC-E-23-21
COMPANY'S APPLICATION FOR)	
APPROVAL OF AMENDMENTS TO)	NOTICE OF APPLICATION
AGREEMENTS FOR DELIVERY OF)	
POWER AND ENERGY WITH KING HILL)	NOTICE OF
IRRIGATION DISTRICT)	MODIFIED PROCEDURE
)	
)	ORDER NO. 35948

On September 11, 2023, Idaho Power Company (“Company”) applied to the Idaho Public Utilities Commission (“Commission”) for an order approving amendments to separate, but related, agreements entered into in 1979 (collectively the “1979 Agreements”) by the Company and King Hill Irrigation District (“KHID”) (collectively the “Parties”). Generally, the 1979 Agreements allow the Company to use KHID’s water for power generation and sets the terms and conditions for the Company supplying energy to KHID.

The Commission now issues this Notice of Application and Notice of Modified Procedure establishing public comment and Company reply deadlines.

BACKGROUND

The 1979 Agreements were entered into on February 5, 1979, (“February Agreement”) and April 11, 1979, (“April Agreement”) respectively.

The February Agreement allows the Company to use KHID’s water to generate 22,108 megawatt hours of power under median water conditions. *See* Application at 3 citing Order No. 14439. In return, the Company made an initial non-refundable lump sum payment to KHID of \$1 million. Further, the Company agreed to provide an annual credit to KHID to offset KHID’s energy consumption at its river pumping stations once constructed. The annual credit amount is based on 14,000,000 kilowatt hours (“Credit Amount”). In 1988, the Parties entered into an amendment to the February Agreement to provide that the Credit Amount would be adjustable to reflect changes in Idaho’s rates or charges in the rate schedule applicable to KHID’s pumping stations. Application at 5-6.

The April Agreement incorporated the February Agreement by reference and provided the terms and conditions for the Company to supply electric service to the pumping stations identified

NOTICE OF APPLICATION
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in the February Agreement and for the allocation of the Credit Amount to the pumping station accounts. The April Agreement further details as to the Parties' terms, and limited the horsepower ("HP") of the river pumping stations to 10,000 HP.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED the proposed second amendment to the February Agreement ("February Amendment") updates the number of listed pumping stations by adding another station ("the Hammett Station"). Thus, under the proposed February Amendment, the Parties would utilize five pumping stations with the option to add a sixth.

YOU ARE FURTHER NOTIFIED the Company proposed a first amendment to the April Agreement ("April Amendment") to update information regarding the Hammett Station and other aspects of the existing pumping stations. The April Amendment would also raise the limit of the HP of the pumping stations from 10,000 HP to 10,100 HP.

YOU ARE FURTHER NOTIFIED that the Application has been filed with the Commission and is available for public inspection during regular business hours at the Commission's office. The Application is also available on the Commission's website at www.puc.idaho.gov. Click on the "ELECTRIC" icon, select "Open Cases," and then 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 will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure. 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 26, 2023, to file written comments.** Comments must be filed through the Commission’s website 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 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, Suite 201-A
Boise, ID 83714

For the Company:

Donovan E. Walker
Megan Goicoechea Allen
Tim Tatum
Connie Aschenbrenner
1221 W. Idaho Street (83702)
P.O. Box 70
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dwalker@idahopower.com
mgoicoecheaallen@idahopower.com
ttatum@idahopower.com
Caschenbrenner@idahopower.com
dockets@idahopower.com
energycontracts@idahopower.com

YOU ARE FURTHER NOTIFIED that the Parties must file any reply comments by November 2, 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.

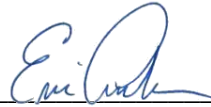
ORDER

IT IS HEREBY ORDERED that this case be processed by Modified Procedure. Persons wishing to file written comments must do so by October 26, 2023. The Parties must file any reply comments by November 2, 2023.

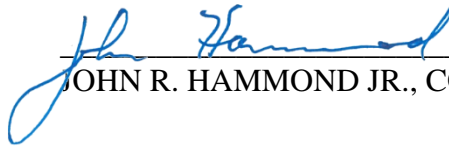
IT IS FURTHER ORDERED that parties comply with Order No. 35375, issued April 21, 2022. Generally, all pleadings should be filed with the Commission electronically and will be

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 5th day of October 2023.



ERIC ANDERSON, PRESIDENT

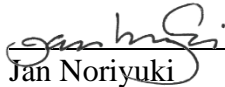


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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