

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER) CASE NO. IPC-E-23-22
COMPANY’S APPLICATION FOR)
APPROVAL OF A THIRD AMENDMENT TO) NOTICE OF APPLICATION
THE ENERGY SALES AGREEMENT WITH)
THE HAZELTON A HYDRO PROJECT) NOTICE OF
) MODIFIED PROCEDURE
)
) ORDER NO. 35965

On September 22, 2023, Idaho Power Company (“Company”), applied for approval of a third amendment (“Third Amendment”) to its energy sales agreement (“ESA”) with North Side Energy Company (“Seller”) for energy generated by the Hazelton A Hydro Project (“Facility”). The Third Amendment revises the energy sales agreement to: (1) correct discrepancies in the nameplate capacity of the Facility’s generating units; (2) delete obsolete language about the Facility location; (3) harmonize language about the Facility’s maximum capacity with the generator interconnection agreement; and (4) reconcile Article XXIII: Modification with Commission approved language. The Company requests processing of this matter via modified procedure.

The Idaho Public Utilities Commission (“Commission”) now provides this Notice of Application and establishes comment deadlines for interested persons and the Company’s reply.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Company represents that it has had an ESA for the purchase and sale of energy from the Hazelton A Hydro Project since 2010.

YOU ARE FURTHER NOTIFIED that the Company represents that the ESA has previously been amended twice since its formation.

YOU ARE FURTHER NOTIFIED that the Company represents that it recently became aware of discrepancies in the nameplate capacity of the Facility’s generating units. Specifically, the nameplate capacity listed in the ESA for each of the Facility’s generating units does not match that listed on the nameplate attached to the units. Furthermore, the Facility’s maximum capacity listed in the ESA does not match the total project output agreed to in the Generator Interconnection Agreement for the project.

YOU ARE FURTHER NOTIFIED that the Company represents that the generating units have not been modified or overhauled since installation and the discrepancies likely arise from the replacement of the manufacturer's nameplates by a prior owner to correct errors in those original nameplates.

YOU ARE FURTHER NOTIFIED that the Company represents that it intends to operate the Facility according to the total project output contained in the Generator Interconnection Agreement—7.7 megawatts.

YOU ARE FURTHER NOTIFIED that the Company represents that the Commission has indicated in prior cases that Article XXIII – Modification of the ESA should be revised to address modifications to the Facility. Specifically, these proposed revisions should ensure that the Facility operates under a correct and accurate contract describing the Facility and the rates paid by customers when modifications to the facility occur.

YOU ARE FURTHER NOTIFIED that the Company represents that the parties to the ESA wish to amend it a third time to reconcile the discrepancies in the nameplate capacity of the Facility's generating units, remove superfluous language related to the Facility's location, harmonize the maximum facility capacity listed in the ESA with the total project output contained in the Generator Interconnection Agreement, and revise Article XXIII using language proposed by the Commission

YOU ARE FURTHER NOTIFIED that the Company represents that the proposed revisions will not impact conditions, rates, or other terms of the ESA.

YOU ARE FURTHER NOTIFIED that the Application and Attachments are available for public inspection during regular business hours at the Commission's office. These documents are also available on the Commission's website 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 of the Idaho Public Utilities Commission’s Rules of Procedure, 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. **Persons shall have until November 7, 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 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 PUC:

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 Idaho Power Company:

Donovan E. Walker
Megan Goicoechea Allen
IPC Dockets
1221 West Idaho Street (83702)
P.O. Box 70
Boise, ID 83707
dwalker@idahopower.com
mgoicoecheaallen@idahopower.com
dockets@idahopower.com

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

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **by November 14, 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. Persons interested in submitting written comments must do so by November 7, 2023. The Company must file any reply comments by November 14, 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 23rd day of October 2023.



ERIC ANDERSON, PRESIDENT

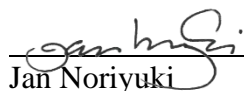


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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