

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER) CASE NO. IPC-E-23-24
COMPANY’S APPLICATION FOR)
MODIFICATIONS TO THE COMPANY’S) NOTICE OF APPLICATION
COMMERCIAL & INDUSTRIAL DEMAND)
RESPONSE PROGRAM, SCHEDULE 82) NOTICE OF INTERVENTION
) DEADLINE
)
) ORDER NO. 35962
)

On October 2, 2023, Idaho Power Company (“Company”), applied for Commission approval of proposed modifications to Schedule 82—Flex Peak Program (“Schedule 82”). The Company proposes revising Schedule 82 to (1) modify certain payment structures; (2) add a waiver provision covering participating customers whose Load Control Device fails; (3) revise the definition of the “Day of” Load Adjustment; (4) establish an option to extend the four-hour notification limit for certain customers; and (5) add definitions for certain terms along with other minor updates related to the other proposed changes. The Company requests: (1) that the Application be processed via Modified Procedure; and (2) that the proposed modifications to Schedule 82 have an effective date of April 15, 2024.

With this Order, the Commission provides notice of the Company’s Application and sets a deadline for interested parties to intervene.

BACKGROUND

In 2009, the Company instituted Schedule 82, under which eligible commercial and industrial customers that can offer load reduction of at least 20 kilowatts (“kW”) can either manually or, via Load Control Devices, automatically reduce their nominated load when the Company calls Load Control Events. Schedule 82 participants then receive an incentive payment based upon their performance in delivering their nominated load reduction during Load Control Events. According to the Company, the purpose of this program is to address large system capacity deficits of short duration.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that Schedule 82 participants designate weekly the load they are willing to reduce during a Load Control Event. Participants receive an incentive payment

NOTICE OF APPLICATION
NOTICE OF INTERVENTION DEADLINE
ORDER NO. 35962

for each designated kW provided and a smaller penalty for each designated kW not provided during a Load Control Event. Although the penalty was designed to incentivize reliable load reduction from participants, the current penalty structure can eliminate a participant's entire incentive payment in certain circumstances.

YOU ARE FURTHER NOTIFIED that the Company proposes modifying the incentive payment structure to a tiered Fixed Capacity Payment Rate structure that will pay Schedule 82 participants according to their average season performance during Load Control Events.

YOU ARE FURTHER NOTIFIED that the Company proposes adjusting the "Day of" Load Adjustment definition to include a contingency applicable when an outage occurs on the day of a Load Control Event.

YOU ARE FURTHER NOTIFIED that the Company represents that Schedule 82 participants with a Load Control Device that fails can have the penalty for failing to provide the designated kW reduction waived. The proposed tiered Fixed Capacity Payment Rate will not impose such penalties. Instead, a participant's Fixed Capacity Payment Rate would be determined by the average percentage of the designated kW the participant provided during all Load Control Events during a demand response ("DR") season.

YOU ARE FURTHER NOTIFIED that the Company proposes replacing the penalty waiver with a performance waiver that would exclude a week during which a Schedule 82 participant's Load Control Device failed to operate when calculating the participant's average DR season performance.

YOU ARE FURTHER NOTIFIED that the Company proposes adding a limited Advanced Notification Option beyond the four-hour notification limit currently part of Schedule 82 for participants designating three Megawatt or more of load reduction.

YOU ARE FURTHER NOTIFIED that the Company proposes adding definitions for Average Actual kW Reduction, Event Performance Percentage, Average Season Performance Percentage, Event Average Nomination, and Performance Waiver and removing the definitions of Nominated kW Incentive Adjustment and Weekly Effective kW Reduction along with other minor updates related to the proposed changes.

YOU ARE FURTHER NOTIFIED that the Application, proposed tariffs, and supporting documentation have been filed with the Commission and 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 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 INTERVENTION DEADLINE

YOU ARE FURTHER NOTIFIED that persons desiring to intervene in this matter to obtain parties’ rights of participation must file a Petition to Intervene with the Commission pursuant to this Commission’s Rules of Procedure 72 and 73, IDAPA 31.01.01.072 and -.073. **Persons who wish to intervene as a party must file a Petition to Intervene no later than 21 days after the date of service of this Order.** Such persons shall also provide the Commission Secretary with their email address to facilitate further communications. After the intervention deadline runs, the Commission Secretary shall issue a Notice of Parties that identifies the parties and assigns exhibit numbers to each party. Once the Notice of Parties has issued, Commission Staff shall informally confer with the Company and any intervening parties about how to further process this case and shall then report back to the Commission on a proposed case schedule.

YOU ARE FURTHER NOTIFIED that persons who would like to present their views without parties’ rights of participation and cross-examination do not have to intervene but may present their views by submitting written comments to the Commission.

YOU ARE FURTHER NOTIFIED that the following people are designated as the Company’s representatives in this matter:

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ORDER

IT IS HEREBY ORDERED that persons desiring to intervene in this matter must file a Petition to Intervene no later than 21 days from the service date of this Order. Once the deadline has passed, the Commission Secretary shall prepare and issue a Notice of Parties.

IT IS FURTHER ORDERED that, after the Notice of Parties has issued, Commission Staff shall confer with the parties regarding a procedural schedule for this matter including, if necessary, a hearing in this matter.

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 20th day of October 2023.



ERIC ANDERSON, PRESIDENT

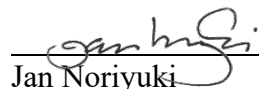


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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