

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF IDAHO POWER ) CASE NO. IPC-E-23-30**  
**COMPANY’S APPLICATION FOR )**  
**APPROVAL OF THE SECOND )**  
**AMENDMENT TO THE 2022 SPECIAL ) ORDER NO. 36068**  
**CONTRACT FOR ELECTRIC SERVICE )**  
**BETWEEN IDAHO POWER COMPANY )**  
**AND MICRON TECHNOLOGY, INC. )**  
**)**

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On November 7, 2023, Idaho Power Company (“Company”) filed an application (“Application”) for approval of the Second Amendment (“Second Amendment”) to its 2022 special contract for electric service between the Company and Micron Technology, Inc. (“Micron”). Updated versions of the Company’s Schedule 26 in a clean and legislative form accompanied the Application as an attachment.

On November 29, 2023, the Commission issued a Notice of Application and Notice of Modified Procedure establishing public comment and Company reply deadlines. Order No. 36010. Commission Staff (“Staff”) filed the only comments.

Having reviewed the record, the Commission issues this Order approving the Company’s Application.

**BACKGROUND**

The Company formed a revised special contract for electric service with Micron in March of 2022 to replace one that had been in effect since 2009. In August of 2023, the Commission approved the first amendment to the 2022 special contract, which modified the special contract to address certain issues the Commission identified in Case No. IPC-E-22-06.

**THE APPLICATION**

The Company seeks approval of the Second Amendment to its special contract with Micron. The proposed Second Amendment extends the annual deadline for retiring environmental attributes connected with project output from January 31 to March 1. The Company states that the parties to the special contract seek this extension because of the logistics of retiring such attributes.

**STAFF COMMENTS**

Staff reviewed the Application, focusing on whether the Second Amendment would materially change the special contract or impact other customers. Staff believes extending the

annual deadline for retiring environmental attributes from January 31 to March 1 neither materially changes the special contract nor impacts other customers.

Staff also reviewed the copies of the proposed Second Amendment and updated Schedule 26 submitted with the Application. Staff believes that these documents adequately address the necessary changes to amend the special contract as described in the Application. Accordingly, Staff recommends approval of the Second Amendment and updated Schedule 26, as filed.

### **COMMISSION DISCUSSION AND FINDINGS**

The Commission has jurisdiction over the Company's Petition and the issues in this case under Title 61 of the Idaho Code including, *Idaho Code* §§ 61-501, 502, and -503. The Commission is empowered to investigate rates, charges, rules, regulations, practices, and contracts of public utilities and to determine whether they are just, reasonable, preferential, discriminatory, or in violation of any provision of law, and to fix the same by order. *Idaho Code* §§ 61-502, 61-503. Based on our review of the record, including the Application, proposed Second Amendment, and Staff's comments, we find it reasonable to grant the Company's Application.

Extending the annual deadline for retiring environmental attributes connected with project output from January 31 to March 1 neither materially changes the Company's special contract with Micron nor impacts other customers. Additionally, the proposed Second Amendment and updated Schedule 26 submitted with the Application adequately address the changes to the special contract described in the Application. Accordingly, we find it fair, just, and reasonable to approve the Company's Second Amendment to its 2022 special contract for electric service with Micron and updated Schedule 26, as filed.

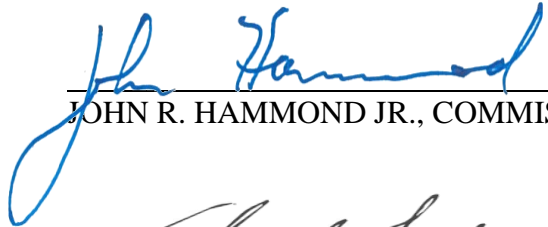
### **ORDER**

IT IS HEREBY ORDERED that the Second Amendment to the 2022 special contract for electric service between Idaho Power Company and Micron Technology, Inc. and the updated version of Idaho Power Company's Schedule 26 are approved, as filed.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order about 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. *See Idaho Code* § 61-626.


DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 24<sup>th</sup> day of January 2024.

  
ERIC ANDERSON, PRESIDENT

  
JOHN R. HAMMOND JR., COMMISSIONER

  
EDWARD LODGE, COMMISSIONER

ATTEST:

  
Monica Berrios-Sanchez  
Commission Secretary

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