

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER)	CASE NO. IPC-E-23-34
COMPANY’S APPLICATION FOR)	
APPROVAL OR REJECTION OF AN)	NOTICE OF APPLICATION
ENERGY SALES AGREEMENT WITH BIG)	
WOOD CANAL COMPANY FOR THE SALE)	NOTICE OF
AND PURCHASE OF ELECTRIC ENERGY)	MODIFIED PROCEDURE
FROM THE MAGIC RESERVOIR HYDRO)	
PROJECT)	ORDER NO. 36052
)	

On December 5, 2023, Idaho Power Company (“Company”) applied to the Idaho Public Utilities Commission (“Commission”) for approval or rejection of an energy sales agreement (“ESA”) with Big Wood Canal Company (“Seller”) for the energy generated by the Magic Reservoir Hydro Project (“Facility”). The Facility has a 9.0-megawatt nameplate capacity and is a qualifying facility (“QF”) under the Public Utility Regulatory Policies Act of 1978. The Company requested that this matter be processed by Modified Procedure with a final order being published before the expiration of the current contract on June 1, 2024.

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

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED the Seller has been delivering energy from the Facility to the Company under a firm ESA that was entered into on July 10, 1987 (“1987 ESA”). The nameplate capacity remains unchanged from the 1987 ESA. Under the proposed ESA, the Seller would receive capacity payments for the entire 20-year term.

YOU ARE FURTHER NOTIFIED that the Company stated that it has complied with all legal requirements for QFs as determined by the Federal Energy Regulatory Commission and this Commission.

YOU ARE FURTHER NOTIFIED that the Company stated that the proposed ESA can be found in Attachment 1 to the Application.

YOU ARE FURTHER NOTIFIED that the proposed ESA adopts “a five-day advanced notice for adjusting Estimated Net Energy Amounts for purposes of complying with 90/110 firmness requirements.” Application at 7.

YOU ARE FURTHER NOTIFIED that the Company stated that, in compliance with Order Nos. 35705 and 35767, the proposed ESA has updated language under Article XXIII relating to modifications of the ESA or the Facility.

YOU ARE FURTHER NOTIFIED that the Company requested the Commission approve the ESA and declare all payments for the purchase of energy under the ESA be allowed as prudently incurred expenses for ratemaking purposes.

YOU ARE FURTHER NOTIFIED that the Application and proposed ESA have been filed with the Commission and are available for public inspection during regular business hours at the Commission's office. The Application and proposed ESA 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 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 January 25, 2024, 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, persons must e-mail the comments to the Commission Secretary and all parties at the e-mail addresses listed below. Persons submitting a comment by e-mail must provide their name, address, and the Case Number under which they are commenting. Persons submitting a comment by e-mail also acknowledge that submitting a comment in an open case constitutes a public record under *Idaho Code* § 74-101(13), and all information provided by such person is available for public and media inspection.

If computer access is unavailable, then comments may be mailed to the Commission and the parties at the addresses below. Persons submitting a comment by mail must provide their name, address, and the Case Number under which they are commenting. Persons submitting a comment by mail also acknowledge that submitting a comment in an open case constitutes a public record under *Idaho Code* § 74-101(13), and all information provided by such person is available for public and media inspection.

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
1221 W. Idaho Street (83702)
P.O. Box 70
Boise, ID 83707
dwalker@idahopower.com
mgoicoecheaallen@idahopower.com
dockets@idahopower.com
energycontracts@idahopower.com

YOU ARE FURTHER NOTIFIED that Idaho Power must file any reply comments **by February 1, 2024.**

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.

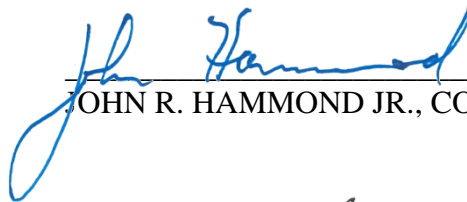
ORDER

IT IS HEREBY ORDERED that this case be processed by Modified Procedure. Persons wishing to file written comments must do so by January 25, 2024. The Company must file any reply comments by February 1, 2024.

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 3rd day of January 2024.


ERIC ANDERSON, PRESIDENT


JOHN R. HAMMOND JR., COMMISSIONER


EDWARD LODGE, COMMISSIONER

ATTEST:


Monica Barrios-Sanchez
Interim Commission Secretary

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