

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER)	CASE NO. IPC-E-24-01
COMPANY’S APPLICATION FOR)	
APPROVAL OF A POWER PURCHASE)	NOTICE OF APPLICATION
AGREEMENT WITH PVS 2, LLC)	
)	NOTICE OF
)	MODIFIED PROCEDURE
)	
)	ORDER NO. 36088
)	

On January 3, 2024, Idaho Power Company (“Company”), applied for approval of a 20-year Power Purchase Agreement (“PPA”) between the Company and PVS 2, LLC (“PVS 2”). The PPA was formed with the expectation of assigning the associated energy and Green Tags/Environmental Attributes to Brisbie LLC (“Brisbie”) under the provisions contained in the Special Contract, as amended, that was approved by the Commission in Order Nos. 35777 and 35958 issued in Case No. IPC-E-21-42. The Company requests that the Application be processed by Modified Procedure with a final order approving the PPA issuing no later than July 3, 2024.

The Commission now issues this Notice of Application and Notice of Modified Procedure.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Company and Brisbie have negotiated a Special Contract for the Company to provide electric service to Brisbie. The Special Contract, or Energy Services Agreement (“ESA”), was filed with the Commission for review and approval in Case No. IPC-E-21-42.

YOU ARE FURTHER NOTIFIED that under the terms of the PPA in this Application, PVS 2 will build, own, operate, and maintain a 125 megawatt alternating current solar photovoltaic generation facility (“Facility”) and will supply the output to the Company’s system. Brisbie is identified in the PPA as a third-party beneficiary receiving energy and Green Tags associated with the Facility’s Net Output.

YOU ARE FURTHER NOTIFIED that the PPA provides for a Scheduled Commercial Operation Date of December 31, 2026, and a Guaranteed Commercial Operation Date, which is 180 days after the Scheduled Operation Date.

YOU ARE FURTHER NOTIFIED that the PPA contains a performance requirement in the form of an Output Guarantee. Under the Output Guarantee, the Seller is obligated to deliver 90 percent of the Expected Energy of the Facility monthly, and the PPA allows the Seller an adjustment of Estimated Monthly Net Output Amounts by the 25th day of the preceding month.

YOU ARE FURTHER NOTIFIED that the PPA contains provisions for operation and control of the project including planned outages, forced outages, maintenance outages, as well as scheduling, forecasting, generator output limit control, and metering.

YOU ARE FURTHER NOTIFIED that under the PPA, Idaho Power will receive 100 percent of the Environmental Attributes associated with the Facility, which will be claimed by Brisbie pursuant to the ESA.

YOU ARE FURTHER NOTIFIED that the Company's 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," 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 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 April 3, 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 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 Walker
Connie Aschenbrenner
Tim Tatum
Idaho Power Company
1221 West Idaho Street
P.O. Box 70
Boise, Idaho 83707
dwalker@idahopower.com
cashenbrenner@idahopower.com
ttatum@idahopower.com
dockets@idahopower.com
energycontracts@idahopower.com

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **no later than April 17, 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 the Company’s Application be processed by Modified Procedure, Rules 201-204. Persons interested in submitting written comments must do so no later than April 3, 2024. The Company must file any reply comments by no later than April 17, 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 15th day of February 2024.


ERIC ANDERSON, PRESIDENT


JOHN R. HAMMOND JR., COMMISSIONER


EDWARD LODGE, COMMISSIONER

ATTEST:


Monica Barrios-Sanchez
Commission Secretary

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