

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER) CASE NO. IPC-E-24-20
COMPANY’S APPLICATION FOR)
APPROVAL OF THE FIRST AMENDMENT)
TO THE POWER PURCHASE AGREEMENT) ORDER NO. 36322
WITH PVS 2, LLC)
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On May 16, 2024, Idaho Power Company (“Company”), applied for approval of the first amendment to its Power Purchase Agreement with PVS 2, LLC (“PPA”). The Company requested this matter be processed by Modified Procedure.

On June 20, 2024, the Commission issued a Notice of Application and Notice of Modified Procedure, setting public comment and Company reply deadlines. Order No. 36231. Staff filed the only comments.

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

THE APPLICATION

The Company seeks approval of the first amendment to a PPA with PVS 2, LLC (“PVS 2”) that initially received Commission approval on May 28, 2024, in Case No. IPC-E-24-01. Order No. 36197. According to the Company, the first amendment changes only the Scheduled Commercial Operation Date contained in the PPA from December 31, 2026, to May 31, 2026 (“First Amendment”). However, while reviewing the First Amendment, Staff discovered two typographical errors. Once these errors were brought to the Company’s attention, the Company refiled a version of the First Amendment with handwritten corrections. Staff attached a copy of the corrected First Amendment to its comments.

STAFF COMMENTS

Staff believed changing the Scheduled Commercial Operation Date to May 31, 2026, was reasonable and, therefore, recommended approving the First Amendment. Staff noted that the Company seeks the proposed change to the Scheduled Commercial Operation Date of PVS 2 to better align with the load ramp of Brisbie, LLC (“Brisbie”), a special contract customer served by PVS 2. Accordingly, Staff focused its evaluation of the First Amendment on Brisbie’s 2026

anticipated load, the possible impact of maintaining the original Scheduled Commercial Operation Date, and the 110% annual energy limit contained in Section 7.1 of the Special Contract between Brisbie and the Company.

Staff agreed that changing the Scheduled Commercial Operation Date of PVS 2 to May 31, 2026, better aligns with Brisbie's anticipated load. Staff noted that Brisbie's load is expected to increase so much that it will suffer a capacity deficit in June 2026 if served only by Pleasant Valley Solar 1.¹

Additionally, Staff expressed concern that maintaining the original Scheduled Commercial Operation Date for PVS 2 could undermine the Company's system reliability. Staff noted that the Company's 2023 IRP indicated that the Company would experience its first capacity deficiency period during the summer of 2026. Accordingly, Staff believed that shifting the first operation date for PVS 2 could mitigate the impact of any delays in the implementation of other resources planned for 2026. Staff confirmed that changing the Scheduled Commercial Operation Date under the PPA to May 31, 2026, would not result in the aggregate total generation of the renewable projects serving Brisbie exceeding 110% of the total supply obligation for Brisbie between June 2026 through May 2027.

COMMISSION FINDINGS AND DECISION

The Commission has jurisdiction over this matter under *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 the law, and to fix the same by order. *Idaho Code* §§ 61-502 and -503.

Having reviewed the record, the Commission finds it fair, just, and reasonable to approve the First Amendment to the Company's PPA with PVS 2. Changing the Scheduled Commercial Operation Date of PVS 2 to May 31, 2026, both better aligns with Brisbie's anticipated load while also potentially mitigating the effect of any delays of other Company resources planned for 2026. Moreover, shifting the Scheduled Commercial Operation Date of PVS 2 provides these benefits without exceeding 110% of the total supply obligation for Brisbie.

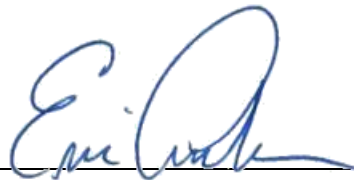
¹ The Commission approved the Company's PPA with Pleasant Valley Solar 1 in Order No. Order Nos. 35739.

ORDER

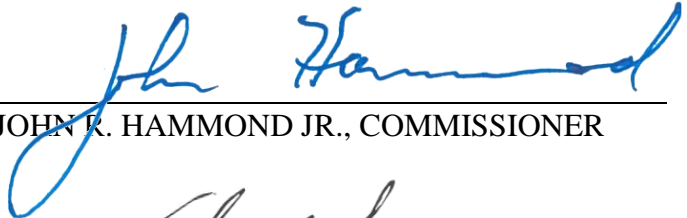
IT IS HEREBY ORDERED that the First Amendment with PVS 2, LLC, as corrected and attached to Staff's comments is granted.

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 13th day of September 2024.



ERIC ANDERSON, PRESIDENT

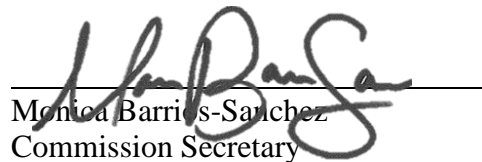


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Monica Barrios-Sanchez
Commission Secretary

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