

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER) CASE NO. IPC-E-24-24
COMPANY’S APPLICATION FOR)
APPROVAL OF A SECOND AMENDMENT) NOTICE OF APPLICATION
TO THE POWER PURCHASE SALES)
AGREEMENT BETWEEN IDAHO POWER) NOTICE OF
AND TELOCASET WIND POWER) MODIFIED PROCEDURE
PARTNERS)
) ORDER NO. 36272
)

On June 21, 2024, Idaho Power Company (“Company”) applied for approval of a Second Amendment (“Amendment”) to a power purchase agreement (“PPA”) between itself and Telocaset Wind Power Partners, LLC (“Seller”) for energy generated by the Elkhorn Wind Park (“Facility”) (“Application”). The PPA has two pricing structures, and the proposed Amendment amends one pricing structure so that its expiration date is consistent with the expiration of the PPA. The Company noted that the Facility is not a qualifying facility under the Public Utility Regulatory Policies Act of 1978, but the underlying agreement has many parallel provisions. The Commission now sets deadlines for commenting on the Application.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Company and the Seller (collectively, “the Parties”) entered into the PPA with a 20-year term on December 15, 2006, but the 20-year term started when the Facility first became operational on December 28, 2007.

YOU ARE FURTHER NOTIFIED that the Company stated that the PPA has two pricing structures: a Post-Operation Date Pricing structure and a Post-Operation Date Alternative Pricing (“PODAP”) structure. The Company has been paying for energy using the PODAP since 2012.

YOU ARE FURTHER NOTIFIED the Company stated that the 2014 First Amendment to the PPA corrected internal ambiguity regarding the curtailment of risk within the PODAP. However, the Company recently realized that the amended PPA listed the PODAP as being effective only through 2026 rather than through December of 2027. The Application seeks to amend this internal inconsistency so that the PODAP remains effective through December 2027.

YOU ARE FURTHER NOTIFIED that the Application is available for public inspection during regular business hours at the Commission’s office. The Application is also available on the

Commission's website at www.puc.idaho.gov. Click on the "ELECTRIC" icon, select "Open Cases," and 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, and 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 that it will proceed under Modified Procedure pursuant to the Commission's Rules of Procedure 201-204, 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 the person supports or opposes the Application. Persons who would like a hearing must specifically request a hearing in their written comments and explain why written comments alone are insufficient. **Persons interested in filing written comments must do so by August 15, 2024.** 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 <http://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 Idaho Public Utilities
Commission:**

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Idaho Public Utilities Commission
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YOU ARE FURTHER NOTIFIED that the Parties must file any reply comments by **August 22, 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 final 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

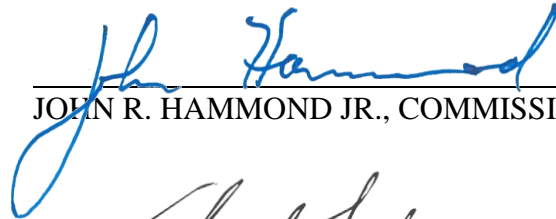
IT IS HEREBY ORDERED that the Application be processed by Modified Procedure, Rules 201-204. Persons interested in filing written comments must do so by August 15, 2024. The Parties must file any reply comments by August 22, 2024.

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 24th day of July 2024.



ERIC ANDERSON, PRESIDENT




JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Monica Barrios-Sanchez
Commission Secretary

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