

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION ) CASE NO. IPC-E-24-28**  
**OF IDAHO POWER COMPANY FOR )**  
**APPROVAL OF A SECOND AMENDMENT ) NOTICE OF APPLICATION**  
**TO THE ENERGY SALES AGREEMENT )**  
**FOR THE SALE AND PURCHASE OF ) NOTICE OF MODIFIED**  
**ELECTRIC ENERGY FROM THE LOWLINE ) PROCEDURE**  
**#2 HYDRO PROJECT )**  
**) ORDER NO. 36263**  
**)**

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On July 1, 2024, Idaho Power Company (“Company”) filed an application (“Application”) with the Idaho Public Utilities Commission (“Commission”) requesting an order approving the Second Amendment (“Second Amendment”) to the Energy Sales Agreement (“ESA”) between the Company and Lower Lowline LLC (“Seller”) for electric energy generated by the Seller’s Lowline #2 Hydro Project (“Facility” or “Project”), which is a PURPA Qualifying Facility (“QF”).

**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that the Company represents that on October 13, 2022, the Company and the Seller entered into a replacement ESA for the purchase and sale of energy produced by the Facility. Application at 2. The ESA was subject to a First Amendment that was approved by the Commission on May 1, 2023. *Id.*

YOU ARE FURTHER NOTIFIED that the Company represents that the Company and the Seller desire to enter into the Second Amendment to the ESA, to: (1) modify the evaluation period for the Project’s eligibility for seasonal hydro rates consistent with the change recently authorized by the Commission for another PURPA QF; and (2) revise Article XXIII Modification to add language addressing modifications to the ESA as well as Facility modifications. *Id.* at 3.

YOU ARE FURTHER NOTIFIED that the Company represents that the Second Amendment to the ESA was executed by the parties on June 12, 2024, and is subject to the Commission’s approval. *Id.*

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](http://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 HEREBY 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 22, 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:**

Commission Secretary  
Idaho Public Utilities Commission  
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**For the Company:**

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YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **by August 29, 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.

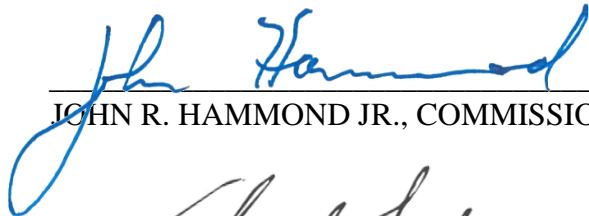
**ORDER**

IT IS HEREBY ORDERED that the Application be processed by Modified Procedure, Rules 201-204 (IDAPA 31.01.01.201-.204). Persons interested in filing written comments must do so by August 22, 2024. The Company must file any reply comments by August 29, 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.

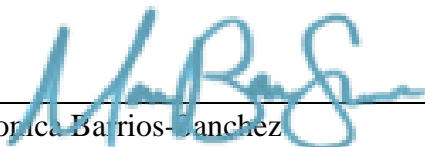
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 16<sup>th</sup> day of July 2024.

  
ERIC ANDERSON, PRESIDENT

  
JOHN R. HAMMOND JR., COMMISSIONER

  
EDWARD LODGE, COMMISSIONER

ATTEST:

  
Monica Barrios-Vanchez  
Commission Secretary

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