

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF IDAHO POWER ) CASE NO. IPC-E-24-43**  
**COMPANY’S APPLICATION FOR )**  
**APPROVAL OR REJECTION OF AN ) NOTICE OF APPLICATION**  
**ENERGY SALES AGREEMENT WITH J.R. )**  
**SIMPLOT COMPANY FOR THE SALE AND ) NOTICE OF**  
**PURCHASE OF ELECTRIC ENERGY FROM ) MODIFIED PROCEDURE**  
**THE SIMPLOT – POCATELLO CSPP )**  
**PROJECT ) ORDER NO. 36425**  
)  
)  
)

---

On November 12, 2024, Idaho Power Company (“Company”) applied to the Commission for approval of an energy sales agreement (“ESA”) with J.R. Simplot Company (“Seller”) for the energy generated by the Simplot – Pocatello CSPP project (“Facility”) (“Application”). The Company requested that the Commission set a procedural schedule that would result in a final Commission determination prior to the ESA’s expiration on February 28, 2025.

With this Order the Commission issues Notice of Application and establishes public comment and reply deadlines.

**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that the Company stated that the Facility is near Pocatello, Idaho and has a 15.9-megawatt (“MW”) nameplate capacity. Commission Order No. 32697 established a 10 average MW (“aMW”) project eligibility cap for qualifying facilities (other than wind and solar facilities) that seek published avoided cost rates. The Company stated that although the nameplate capacity rating of the Facility is 15.9 MW, it operates under 10 aMW monthly under normal conditions.

YOU ARE FURTHER NOTIFIED that the Company stated that the proposed ESA has a 5-year term using the non-levelized, published avoided cost rates for “Other” resources. A copy of the proposed ESA can be found in Attachment 1 to the Application.

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 to 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 the Facility is already connected and selling power to the Company with a scheduled First Energy and Operation date of March 1, 2025. The replacement ESA incorporated relevant information from previous agreements while allowing the Company to pursue necessary updates. The ESA requires the Seller to pay interconnection and maintenance charges under Schedule 72. The Facility needs to retain its designated network resource status through a power purchase agreement to comply with transmission requirements and Federal Energy Regulatory Commission regulations.

YOU ARE FURTHER NOTIFIED that the Application and proposed ESA 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](http://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, and 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 January 15, 2025, 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](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 PUC:**

Commission Secretary  
Idaho Public Utilities Commission  
P.O. Box 83720  
Boise, ID 83720-0074  
[secretary@puc.idaho.gov](mailto: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 E. Walker  
Megan Goicoechea  
Idaho Power Company  
1221 W. Idaho Street  
P.O. Box 70  
Boise, ID 83707-0070  
[dwalker@idahopower.com](mailto:dwalker@idahopower.com)  
[mgoicoecheaallen@idahopower.com](mailto:mgoicoecheaallen@idahopower.com)  
[dockets@idahopower.com](mailto:dockets@idahopower.com)

Energy Contracts  
1221 West Idaho Street  
P.O. Box 70  
Boise, ID 83707  
[energycontracts@idahopower.com](mailto:energycontracts@idahopower.com)

**YOU ARE FURTHER NOTIFIED that the Parties must file any reply comments by January 22, 2025.**

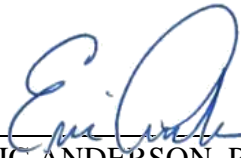
YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

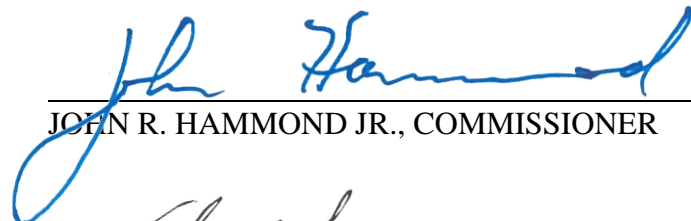
**ORDER**

IT IS HEREBY ORDERED that the Parties' Application be processed by Modified Procedure, Rules 201-204. Persons interested in submitting written comments must do so by January 15, 2025. Parties must file any reply comments by January 22, 2025.

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.

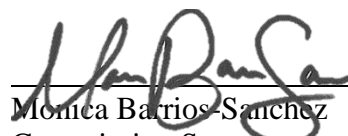
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 19<sup>th</sup> day of December 2024.

  
\_\_\_\_\_  
ERIC ANDERSON, PRESIDENT

  
\_\_\_\_\_  
JOHN R. HAMMOND JR., COMMISSIONER

  
\_\_\_\_\_  
EDWARD LODGE, COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
Monica Barrios-Sanchez  
Commission Secretary

I:\Legal\ELECTRIC\IPC-E-24-43\_Simplot/orders\IPCE2443\_Ntc\_App\_Mod\_md.docx