

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER	)	CASE NO. IPC-E-26-19
COMPANY’S APPLICATION FOR	)	
APPROVAL OF ENERGY SERVICES	)	NOTICE OF APPLICATION
AGREEMENT AND TARIFF SCHEDULE 35	)	
TO PROVIDE ELECTRIC SERVICE TO	)	NOTICE OF INTERVENTION
CHOBANI, LLC	)	DEADLINE
	)	
	)	ORDER NO. 37101

On June 8, 2026, Idaho Power Company (“Company”) applied to the Idaho Public Utilities Commission (“Commission”) requesting: (1) approval of an energy sales agreement (“ESA”) with Chobani, LLC (“Chobani”); (2) approval of rates in, and proposed changes to, the Company’s tariff Schedule 35; (3) approval of particular accounting treatment of energy sales under the ESA; (4) approval of an interim arrangement between the Company and Chobani where the Company would provide electric service under the rates and charges of tariff Schedule 19 until the Commission issued a final order on the ESA; and (5) a final Commission order by March 1, 2027 (“Application”). Application at 13.

The Commission now issues this Notice of Application and sets deadlines for interested persons to intervene.

BACKGROUND

Chobani currently receives electric service from the Company under Schedule 19. Application at 2. Under Schedule 19, any customer whose total power requirement exceeds 20,000 kilowatts (“kW”) is ineligible to receive energy service under Schedule 19. *Id.* Once a customer exceeds a total power requirement of 20,000 kW, the customer must enter into a special contract with the Company. *Id.*

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that Chobani plans to expand its operation in the Company’s service territory and thus increase its power requirement above 20,000 kW. *Id.* As a result, the Company and Chobani negotiated and executed the ESA. *Id.* at 3. At filing, Chobani’s load forecast indicated there was enough time for the Commission to review the ESA before Chobani’s energy requirement exceeded 20,000 kW. *Id.* at 13. However, the Company proposed that should

Chobani's energy requirement exceed 20,000 kW before a final order is issued, the Company would continue to provide Chobani with power under Schedule 19's rates, without curtailing Chobani to the 20,000 kW threshold, unless otherwise directed by the Commission. *Id.*

YOU ARE FURTHER NOTIFIED that the Company stated that Schedule 35 details the proposed rates for electric service under the ESA. *Id.* The Company explained that Schedule 35 would apply to Chobani's electric service on the first day of the first month following the Commission's approval of the ESA that the total power requirement of the Chobani facility exceeds 20,000 kW. *Id.* at 4.

YOU ARE FURTHER NOTIFIED that the Company represented that the ESA contains several provisions designed to protect the Company and other customers as Chobani's load grows or shrinks. *Id.* at 4–5.; Attachment 1. The Company stated that Chobani requested an initial 25,000 kW of contract demand per month. Application at 6. The Company further explained that under the ESA, Chobani is allowed to shift to a minimum of 20,000 kW contract demand per month and up to a maximum of 40,000 kW contract demand per month. *Id.*

YOU ARE FURTHER NOTIFIED that the Company proposed a two-block pricing structure in Schedule 35. *Id.* at 7. "Block 1" would apply to the first 20,000 kW of the contract demand at Chobani's facility, and the prices would be based on "embedded cost Schedule 19 retail rates." *Id.* "Block 2" would apply to the total power requirement that exceeds the first 20,000 kW contract demand and the prices would be based on "capacity cost per kilowatt," and "energy priced at a marginal cost-based rate...." *Id.* at 7–8. The Company requested approval to update Schedule 35 charges annually in the Company's marginal energy docket filing to keep rates aligned with a variety of changing factors. *Id.* at 10

YOU ARE FURTHER NOTIFIED that the Company requests that the Power Cost Adjustment ("PCA") include the costs for supplying power to Chobani's facility in Block 1 and Block 2. *Id.* The Company requested the energy sales from Block 2 "be treated as surplus sales and an offset to power supply costs." *Id.* The Company represented this would make it so Block 2 sales were not included as Idaho retail sales used to calculate the sales-based adjustment in the PCA. *Id.*

YOU ARE FURTHER NOTIFIED that the Company stated that Chobani is responsible for all upfront facility construction costs to interconnect and serve Chobani's expanded facility. *Id.* at 11. The Company stated it would keep ownership of the constructed facilities, and be responsible for operating and maintenance expenses, up to the Point of Delivery. *Id.*

YOU ARE FURTHER NOTIFIED that the Application, the ESA, and Schedule 35 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," 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 INTERVENTION DEADLINE

YOU ARE FURTHER NOTIFIED that persons desiring to intervene in this matter to obtain parties' rights of participation must file a Petition to Intervene with the Commission pursuant to this Commission's Rules of Procedure 72 and 73, IDAPA 31.01.01.072 and -.073. **Persons who wish to intervene as a party must file a Petition to Intervene no later than 21 days after the date of service of this Order.** Such persons shall also provide the Commission Secretary with their email address to facilitate further communications. After the intervention deadline runs, the Commission Secretary shall issue a Notice of Parties that identifies the parties and assigns exhibit numbers to each party. Once the Notice of Parties has issued, Commission Staff shall informally confer with the Company and any intervening parties about how to further process this case and shall then report back to the Commission on a proposed case schedule.

YOU ARE FURTHER NOTIFIED that persons who would like to present their views without parties' rights of participation and cross-examination do not have to intervene but may present their views by submitting written comments to the Commission.

YOU ARE FURTHER NOTIFIED that the following people are designated as the Company's representatives in this matter:

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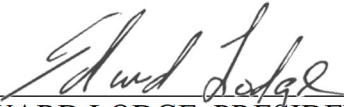
ORDER

IT IS HEREBY ORDERED that persons desiring to intervene in this matter must file a Petition to Intervene no later than 21 days from the service date of this Order. Once the deadline has passed, the Commission Secretary shall prepare and issue a Notice of Parties.

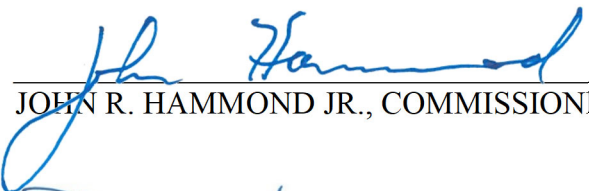
IT IS FURTHER ORDERED that, after the Notice of Parties has issued, Commission Staff shall confer with the parties regarding a procedural schedule for this matter including, if necessary, a hearing in this matter.

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 21st day of July 2026.



EDWARD LODGE, PRESIDENT

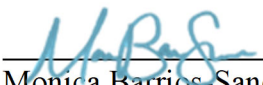


JOHN R. HAMMOND JR., COMMISSIONER



DAYN HARDIE, COMMISSIONER

ATTEST:



Monica Barrios-Sanchez
Commission Secretary

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