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IDAHO PUBLIC
UTILITIES COMMISSION

Chas. F. McDevitt
Dean J. (Joe) Miller
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February 18, 2015

Via Hand Delivery

Jean Jewell, Secretary
Idaho Public Utilities Commission
472 W. Washington St.
Boise, Idaho 83720

**Re: IPC-E-15-1
Petition to Clarify Order No. 33222.**

Dear Ms. Jewell:

Enclosed for filing in the above matter, please find an original and seven copies of Intermountain Energy Partners, LLC's Petition to Clarify Order No. 33222.

Kindly return a file stamped copy to me.

Very Truly Yours,

McDevitt & Miller LLP



Dean J. Miller

DJM/hh
Enclosures

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IDAHO PUBLIC
UTILITIES COMMISSION

Attorneys for Intermountain Energy Partners, LLC

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER)	CASE NO. IPC-E-15-01
COMPANY'S PETITION TO MODIFY)	
TERMS AND CONDITIONS OF)	PETITION TO CLARIFY ORDER NO.
PROSPECTIVE PURPA ENERGY SALES)	33222
AGREEMENTS.)	
)	
)	
)	

COMES NOW Intermountain Energy Partners LLC (IEP), an Intervenor herein, and pursuant to RP 325 petitions the Commission to clarify Order No. 33222 as requested below and in support thereof respectfully shows as follows, to wit:

I.

The ordering paragraph of Order No. 33222 provides in part:

“IT IS HEREBY ORDERED that effective February 5, 2015, and pending further order of the Commission, the maximum contractual term for Idaho Power’s new PURPA contracts shall be five years.”

For the reasons set forth below, IEP requests this ordering paragraph be clarified to provide:

“IT IS HEREBY ORDERED that effective February 5, 2015, and pending further order of the Commission, the maximum contractual term for Idaho Power’s new PUPRA contracts shall be five years, provided however this Order shall not apply to proposed QF projects that do not exceed the published rate eligibility cap”.

II.

Under the Commission's regulatory scheme for PURPA implementation, prices for Qualifying Facilities (QF's) are determined based on the project size and fuel type. Relevant here, solar projects with a name plate capacity of 100 kilowatts or less may receive prices that are published by the Commission and publically available determined on the Surrogate Avoided Resource Model. Solar projects with a larger capacity receive prices determined on individual basis pursuant to the Integrated Resource Plan Methodology. *See* Order No. 32609, Case No. GNR-3-11. There is, in effect, a market for "small" solar projects and a market for "big" solar projects.

III.

As filed, the Petition of Idaho Power Company (Idaho Power) was aimed at reducing the previously existing contract length of twenty (20) years for the big solar market; the Petition was not aimed at the small solar market:

"Idaho Power's request to modify terms and conditions for prospective PURPA energy sales agreements is limited to transactions with proposed QF projects that exceed the published rate eligibility cap. (The published rate eligibility cap is 100 kilowatts for wind and solar QF's and 10 average megawatts for all other QF generation types.)" *Petition*, Pgs. 1-2.

The rationale for Idaho Power's request to shorten contract length (to the extent it has merit, which IEP does not concede) arises from problems perceived to be occurring in the market for big projects. *See* Petition Pgs. 17-32; Testimony of Alphin; Testimony of Grow. Idaho Power's Petition does not allege the existence of problems in the market for small solar projects justifying reduction in contract length for that market.

IV.

The ordering language of Order No. 33222, set forth above, is causing uncertainty among parties who may desire to pursue development of QF projects in the small solar market.

V.

Clarification of Order No. 33222, as requested above would make the Order consistent with Idaho Power's Petition and would provide certainty to parties during the pendency of this case.

WHEREFORE, IEP respectfully requests that Order No. 33222 be clarified as set forth herein.

DATED this 14 day of February, 2015.

INTERMOUNTAIN ENERGY PARTNERS, LLC

By:  _____

Dean J. Miller

Attorney for Intermountain Energy Partners, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of February, 2015, I caused to be served, via the method(s) indicated below, true and correct copies of the foregoing document, upon:

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BY: Heather Houli, legal Asst.
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