

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF ROCKY MOUNTAIN) CASE NO. PAC-E-20-10
POWER’S APPLICATION FOR APPROVAL)
OR REJECTION OF A POWER PURCHASE) SECOND NOTICE OF AMENDED
AGREEMENT BETWEEN PACIFICORP) COMMENT DEADLINES
AND FALL RIVER ELECTRIC)
COOPERATIVE, INC.) ORDER NO. 34806

On June 9, 2020, Rocky Mountain Power (“Company”), a division of PacifiCorp, applied for consideration of a Power Purchase Agreement (“Agreement”) with Fall River Electric Cooperative, Inc. (“Fall River”) for energy generated by the Felt Hydro Facility¹ (“Facility”), a small hydro facility in Teton County, Idaho. The Facility is a qualifying facility under the Public Utility Regulatory Policies Act of 1978 and has a nameplate capacity of 7.45 megawatts.

On July 2, 2020, the Commission issued a Notice of Application and Notice of Modified Procedure establishing an August 17, 2020 comment deadline and August 24, 2020 reply comment deadline. *See* Order No. 34717.

On July 31, 2020, Staff sent its Second Production Request to the Company. Staff received responses to requests 8-11 on August 10, 2020 and requests 12-14 on August 11, 2020. Staff determined it would need additional time to sort out its position on capacity payments described in the Agreement.

On August 17, 2020, Staff filed initial comments and asked the Commission to amend the comment deadline to allow additional time to analyze the data and finalize its position on capacity payments through supplemental comments.

At the August 18, 2020 Decision Meeting, Staff asked the Commission to vacate the comment deadlines established in Order No. 34717 and establish new comment deadlines to allow for public comments on October 1, 2020 and reply comments on October 15, 2020.

The Company and Fall River indicated they did not oppose amending the comment deadlines as proposed by Staff.

On August 25, 2020, the Commission issued a Notice of Amended Comment Deadlines establishing an October 1, 2020 public comment deadline and October 15, 2020 reply deadline. *See* Order No. 34760.

¹ The Felt River Hydro Facility was previously known as CDM Hydro.

On September 22, 2020, pursuant to the Commission's Rules of Procedure 272—IDAPA 31.01.01.272—Staff emailed the Commission Secretary and parties notice that settlement discussions had begun, and the parties intended to work towards settlement. The parties plan to submit a stipulation memorializing the agreed upon terms.

At the Commission's September 29, 2020 Decision Meeting, Staff asked the Commission to vacate the comment deadlines established in Order No. 34760 and recommended establishing a new comment deadline of October 22, 2020 to allow time for the public and parties to file comments on the stipulation. The Company and Fall River indicated they did not oppose amending the comment deadlines as proposed by Staff.

With this Order, the Commission vacates the comment deadlines established in Order No. 34760 and establishes an October 22, 2020 comment deadline for parties and the public.

NOTICE OF AMENDED COMMENT DEADLINES

YOU ARE HEREBY NOTIFIED that the Commission finds it reasonable to vacate the comment deadlines established in Order No. 34760 and issue an amended comment deadline, as requested, to give parties and the public more time to file comments.

YOU ARE FURTHER NOTIFIED that **any person desiring to state a position on this case must file a written comment in support or opposition with the Commission by October 22, 2020.**

ORDER

IT IS HEREBY ORDERED that persons interested in submitting written comments must do so by October 22, 2020.

IT IS FURTHER ORDERED that parties should continue to comply with Order No. 34781, issued September 17, 2020. All pleadings should be filed with the Commission electronically and shall be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should also be accomplished electronically. Voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

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DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 6th day of October 2020.



PAUL KJELLANDER, PRESIDENT

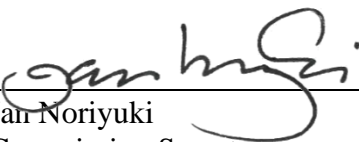


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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