

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF ROCKY MOUNTAIN)	CASE NO. PAC-E-20-18
POWER’S APPLICATION FOR APPROVAL)	
OR REJECTION OF AN ENERGY SALES)	NOTICE OF APPLICATION
AGREEMENT WITH AMY FAMILY)	
HOLDINGS, LLC)	NOTICE OF MODIFIED
)	PROCEDURE
)	
)	ORDER NO. 35208

On December 3, 2020, Rocky Mountain Power (“Company”) filed an Application seeking approval or rejection of an amendment to extend for one-year an existing Energy Sales Agreement (“ESA”) the Company has with Amy Family Holdings, LLC (“Seller”) to allow the parties to secure a stand-alone interconnection agreement replacing the interconnection provision in the existing ESA. The Company’s Application includes an Amendment to the Power Purchase Agreement between Seller and the Company (“Attachment 1”). The Company reasoned that if the ESA was not extended or renewed it would expire on December 31, 2021.

After the Company filed its Application to extend the ESA’s term by one-year, the Seller significantly progressed on the new interconnection provisions to the point the Company became confident the Seller could complete the required interconnection before the energy sales agreement expired, thus negating the need for the one-year extension. On March 10, 2021, the Company filed an unopposed motion for stay with the goal of allowing the Seller to complete the new interconnection provisions.

On March 25, 2021, the Commission granted the Company’s Motion with the condition that if the Seller had not completed its interconnection requirements by October 15, 2021, the Company must seek continuance. Order No. 34971.

On September 23, 2021, the Company filed an unopposed motion to lift stay (“Motion”) requesting the Commission consider its Application and issue a final order by December 31, 2021 because the transmission upgrades necessary for the long-term power purchase agreement with Seller will not be completed until May 2022. The Company states “the existing

contract must be extended so the Seller can maintain its current interconnection rights until the transmission upgrades are complete.”

With this Order the Commission issues notice of the Company’s Application and establishes public comment and Company reply deadlines.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the ESA was entered on January 3, 1985 prior to the Company separating its energy supply and transmission functions as required by federal law. The ESA contains provisions addressing both energy supply and interconnection requirements.

YOU ARE FURTHER NOTIFIED that the Seller and the Company are in the process of securing a stand-alone interconnection agreement to replace the interconnection provision in the ESA. Before a new agreement can be entered, the stand-alone interconnection agreement requires all distribution system upgrades to be constructed and in place.

YOU ARE FURTHER NOTIFIED that the necessary upgrades for a new agreement will not be completed before the ESA expires on December 31, 2021. The Seller has expressed a desire to continue selling electricity generated by the Facility to the Company consistent with the requirements of the Public Utilities Regulatory Policies Act of 1978 (“PURPA”) as implemented by Idaho.

YOU ARE FURTHER NOTIFIED that while the distribution system upgrades are being completed the Seller and the Company have agreed to a limited one-year extension of the existing contract with updated pricing for energy sales during the extended term—January 1, 2022 through December 31, 2022 (“Extended Term”). *See* Exhibit A to Attachment 1. During the Extended Term, the total nameplate capacity of the Facility—450 kilowatts—remains unchanged. The Facility’s estimated net output during the Extended Term is 2,087 megawatt-hours.

YOU ARE FURTHER NOTIFIED that the Application is available for public inspection during regular business hours at the Commission’s office. These documents are also available on the Commission’s web site 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.

YOU ARE FURTHER NOTIFIED 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 FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201 through .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. **Persons shall have until November 22, 2021 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 home page at www.puc.idaho.gov. Click the "Consumers" tab and then "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, the customer must e-mail the comments to the Commission Secretary and the Company at the e-mail addresses listed below. If computer access is unavailable, then comments may be mailed to the Commission and Company at these addresses:

**For the Idaho Public Utilities
Commission:**

Commission Secretary
Idaho Public Utilities Commission
P.O. Box 83720
Boise, Idaho 83720-0074
secretary@puc.idaho.gov

Street Address for Express Mail:

11331 W. Chinden Blvd.
Building 8, Suite 201-A
Boise, Idaho 83714

For Rocky Mountain Power:

Rocky Mountain Power
Ted Weston (Suite 330)
Emily Wegener (Suite 320)
1407 West North Temple
Salt Lake City, Utah 84116
ted.weston@pacificorp.com
emily.wegener@pacificorp.com
idahodockets@pacificorp.com

Please send all data request regarding this
Application in Microsoft Word to:

datarequests@pacificorp.com

If e-mail is unavailable, then:

Data Request Response Center
PacifiCorp
825 Multnomah, Suite 2000
Portland, OR 97232

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **by November 29, 2021**.

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 Company's Motion is granted.

IT IS FURTHER ORDERED that the Company's Application be processed by Modified Procedure, Rules 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so by November 22, 2021. The Company must file any reply comments by November 29, 2021.

IT IS FURTHER ORDERED that parties should continue to comply with Order No. 35058, issued June 3, 2021. 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 22nd day of October 2021.



PAUL KJELLANDER, PRESIDENT

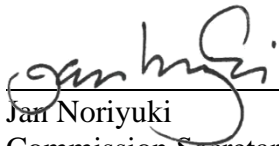


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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