

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF ROCKY MOUNTAIN) CASE NO. PAC-E-21-05
POWER’S APPLICATION FOR APPROVAL)
OR REJECTION OF THE POWER) NOTICE OF APPLICATION
PURCHASE AGREEMENT WITH)
COMMERCIAL ENERGY MANAGEMENT,) NOTICE OF
INC.) MODIFIED PROCEDURE
)
)
) **ORDER NO. 34975**

On March 3, 2021, Rocky Mountain Power, a division of PacifiCorp (“Company”) requested the Commission approve or reject a replacement Power Purchase Agreement with Commercial Energy Management, Inc. for the purchase of energy and capacity.

The Commission now issues Notice of Modified Procedure and sets deadlines for interested persons to comment on the Application, and for the Company to reply.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that Commercial Energy Management, Inc. owns and operates a 900 kW hydroelectric qualifying facility (“QF”) under the Public Utility Regulatory Policies Act of 1978 (“PURPA”).

YOU ARE FURTHER NOTIFIED that the QF is on the Portneuf River east of Lava Hot Springs in Bannock County, Idaho.

YOU ARE FURTHER NOTIFIED that Commercial Energy Management, Inc. and the Company’s first contract for the sale of energy from the QF was dated November 12, 1991. In June 2020, the parties extended the agreement through March 1, 2021.

YOU ARE FURTHER NOTIFIED that the replacement contract contains published avoided cost rates for a non-seasonal hydro QF with capacity payments for the entire term of the agreement, with no sufficiency period.

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 and specifically *Idaho Code* §§ 61-501 to 61-503.

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 that it will proceed under Modified Procedure pursuant to Rules 201 through 204 of the 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 April 28, 2021 to file written comments.** Comments must be filed through the Commission 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 "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 e-mail addresses listed below. In addition to submitting the comments to the Commission Secretary, the customer must also e-mail 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, ID 83720-0074
E-mail: secretary@puc.idaho.gov

For Rocky Mountain Power:

Ted Weston
Idaho Regulatory Affairs Manager
Rocky Mountain Power
1407 West North Temple, Suite 330
Salt Lake City, UT 84116
E-mail: ted.weston@pacificorp.com

Street Address for Express Mail:

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

Emily Wegener
Counsel
Rocky Mountain Power
1407 West North Temple, Suite 320
Salt Lake City, UT 84116
E-mail: emily.wegener@pacificorp.com

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

datarequest@pacificorp.com

If e-mail is unavailable, then

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

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **by May 12, 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 Application be processed by Modified Procedure, Rule 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so by April 28, 2021. The Company must file any reply comments by May 12, 2021.

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.

DONE by order of the Idaho Public Utilities Commission at Boise, Idaho this 25th day of March 2021.


PAUL KJELLANDER, PRESIDENT


KRISTINE RAPER, COMMISSIONER


ERIC ANDERSON, COMMISSIONER

ATTEST:


Jan Noriyuki
Commission Secretary

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