

COMMISSION FINDINGS AND DISCUSSION

The Commission has jurisdiction over this matter under *Idaho Code* §§ 61-501, -502, and -503. The Commission is empowered to investigate rates, charges, rules, regulations, practices, and contracts of public utilities and to determine whether they are just, reasonable, preferential, discriminatory, or in violation of any Provision of law, and to fix the same by order. *Idaho Code* §§ 61-502 and 61-503. In addition, the Commission has authority under the Public Utilities Regulatory Policies Act (“PURPA”) and Federal Energy Regulatory Commission regulations to set avoided costs, to order electric utilities to enter fixed-term obligations for the purchase of energy from QFs, and to implement rules. The Commission may enter any final order consistent with its authority under Title 61 and PURPA.

The Commission has the authority to grant or deny reconsideration under *Idaho Code* § 61-626(2). Reconsideration allows any interested person to bring to the Commission’s attention any question previously determined, and thereby affords the Commission an opportunity to rectify any mistake or omission. *See Washington Water Power Co., v. Kootenai Environmental Alliance*, 99 Idaho 875, 879, 591 P.2d 122, 126 (1979). The Commission’s Rules of Procedure require a petition for reconsideration to “set forth specifically the ground or grounds why the petitioner contends that the order or any issue decided in the order is unreasonable, unlawful, erroneous or not in conformity with the law.” *See* IDAPA 31.01.01.331.01. Rule 331.01 further requires the petitioner provide a “statement of the nature and quantity of evidence or argument the petitioner will offer if reconsideration is granted.” *Id.* A petition must state whether reconsideration should be conducted by “evidentiary hearing, written briefs, comments, or interrogatories.” *See* Rule 331.03.

The Commission finds that additional consideration of the issues raised by the Seller’s Petition for Reconsideration is appropriate. We find that the existing record is sufficient for the Commission to consider the arguments made by the parties in this case. Accordingly, the Commission will grant the Petition for Reconsideration based on the current record only to more fully consider the issues raised by Seller. *See Idaho Code* § 626(a). After such consideration the Commission will issue a final order on the merits of the Seller’s Petition for Reconsideration.

ORDER

IT IS HEREBY ORDERED that the Seller’s Petition for Reconsideration is granted. The Commission will utilize the existing record to fully consider the arguments raised by the Seller

on reconsideration and will issue a subsequent final order on reconsideration on the merits of the Seller's Petition for Reconsideration.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 9th day of March 2022.



ERIC ANDERSON, PRESIDENT

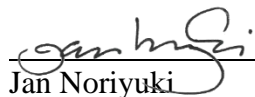


JOHN CHATBURN, COMMISSIONER

//ABSTAIN TO AVOID CONFLICT//

JOHN R. HAMMOND, JR., COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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