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IDAHO PUBLIC
UTILITIES COMMISSION

1407 W. North Temple, Suite 330
Salt Lake City, Utah 84116

September 28, 2021

VIA ELECTRONIC FILING

Jan Noriyuki
Commission Secretary
Idaho Public Utilities Commission
11331 W. Chinden Blvd
Building 8 Suite 201A
Boise, ID 83714

**Re: CASE NO. PAC-E-21-06
IN THE MATTER OF THE APPLICATION OF PACIFICORP FOR APPROVAL
OR REJECTION OF THE PURCHASE POWER AGREEMENT WITH
CHESTER DIVERSION HYDRO PROJECT**

Dear Ms. Noriyuki:

Please find attached Rocky Mountain Power's withdrawal notice in the above-referenced matter.

Informal inquiries may be directed to Ted Weston, Idaho Regulatory Manager at (801) 220-2963.

Very truly yours,

Joelle R. Steward
Vice-President of Regulation

Cc: Greg Adams

Emily Wegener (ISB #11614)
Rocky Mountain Power
1407 West North Temple, Suite 320
Salt Lake City, Utah 84116
Telephone: (801) 220-4526
FAX: (801) 220-3299
Email: emily.wegener@pacificorp.com

Attorney for Rocky Mountain Power

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION OF) CASE NO. PAC-E-21-06
PACIFICORP FOR APPROVAL OR)
REJECTION OF THE PURCHASE POWER) NOTICE OF WITHDRAWAL
AGREEMENT WITH CHESTER DIVERSION) OF APPLICATION
PROJECT)**

Pursuant to Rule 68 of the Rules of Procedure of the Idaho Public Utilities Commission (“Commission”), Rocky Mountain Power, a division of PacifiCorp (the “Company”) hereby submits this notice of withdrawal of its Application, filed on March 10, 2021, in the above-captioned matter.

On March 10, 2021, the Company submitted its Application for Approval or Rejection of the Purchase Power Agreement (“PPA”) with Chester Diversion Project (“Chester”). The Agreement at issue is a PPA executed February 26, 2021 (“Agreement”), under which Fall River Rural Electric Cooperative Inc. agreed to use its existing Chester facility, a qualifying facility under the Public Utility Regulatory Policies Act of 1978, to provide power to the Company. The Commission provided public notice of the Application on March 25, 2021, and parties filed comments in May 2021. Nothing further has been filed or issued from the Commission in this matter since reply comments were filed on May 25, 2021.

On September 23, 2021, Fall River and the Company agreed to terminate the PPA, with no damages owed by either party. Pursuant to that agreement and the Commission Rules of Procedure,

the Company files this notice of withdrawal. A copy of the agreement to terminate the PPA between the two parties is provided as Attachment No. 1.

Commission Rule 68 states: “A party desiring to withdraw a pleading must file a notice of withdrawal of the pleading with the Commission and serve all parties with it. Unless otherwise ordered by the Commission, the notice is effective fourteen (14) days after filing.”

Therefore, absent an order from the Commission, this Application will be considered withdrawn fourteen days after the submission of this notice.

Dated this 28th day of September 2021.

Respectfully submitted by,
ROCKY MOUNTAIN POWER



Emily Wegener
Rocky Mountain Power
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Salt Lake City, Utah 84116
Telephone: (801) 220-4526
Email: emily.wegener@pacificorp.com

Attorney for Rocky Mountain Power

Attachment 1



1407 West North Temple, Suite 310
Salt Lake City, UT 84116

VIA EMAIL

September 23, 2021

Bryan Case
CEO/General Manager
Fall River Rural Electric Cooperative
1150N 3400E
Ashton, ID 83420

Re: Termination of Power Purchase Agreement

Dear Sir/Madam:

Reference is made to that certain Power Purchase Agreement by and between PacifiCorp, doing business as Rocky Mountain Power, and Fall River Rural Electric Cooperative, Inc. ("Fall River" and together with PacifiCorp, the "Parties") dated February 26, 2021 ("PPA"). Under the PPA, Fall River is obligated to sell and PacifiCorp is obligated to purchase electric energy generated by Fall River's Chester Diversion Project located in Fremont County, Idaho, with a nameplate capacity rating of 2.0 megawatts (the "Facility"), subject to the approval of the PPA by the Idaho Public Utilities Commission ("IPUC"). At this time the application for approval of the PPA ("Application") filed by PacifiCorp is pending before the IPUC.

On September 10, 2021, counsel for Fall River spoke by phone with attorneys for PacifiCorp and requested mutual termination of the PPA. In subsequent discussions, the Parties verbally conveyed their agreement to terminate the PPA, with no damages owed by either party, and withdraw the Application pursuant to IPUC Rule of Procedure 68 (IDAPA 31.01.01.68).

In order to document the Parties' agreement to terminate the PPA, effective today, September 23, 2021, and to acknowledge that PacifiCorp will be promptly filing a notice at the IPUC to withdraw the Application, please obtain the countersignature of an authorized representative of Fall River in the "Acknowledged and Agreed" signature block below and return a fully executed copy of this letter to my attention.

Please let me know if you have any questions.

Sincerely,

PACIFICORP

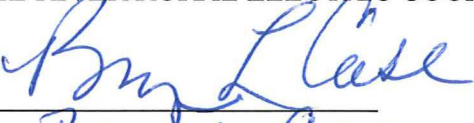
Bruce Griswold

Digitally signed by Bruce
Griswold
Date: 2021.09.23 14:51:00 -07'00'

Bruce Griswold
Director, Short-Term Origination and QF Contracts

ACKNOWLEDGED AND AGREED:

FALL RIVER RURAL ELECTRIC COOPERATIVE, INC.

By: 
Name: Bryan L. Case
Title: CEO / General Mgr.

Cc: Greg Adams
Craig Eller
Irene Heng
Cynthia Mifsud