

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE JOINT ) CASE NO. PAC-E-21-08**  
**APPLICATION BETWEEN ROCKY )**  
**MOUNTAIN POWER AND P4 ) NOTICE OF APPLICATION**  
**PRODUCTION, LLC REQUESTING )**  
**APPROVAL OF AN AGREEMENT TO ) NOTICE OF**  
**RETIRE RECS ) MODIFIED PROCEDURE**  
)  
)  
) **ORDER NO. 35018**

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On March 29, 2021, PacifiCorp dba Rocky Mountain Power (“PacifiCorp”) and P4 Production LLC. (“P4”) jointly requested the Commission approve the P4 System Renewable Energy Certificate Retirement Agreement (“Agreement”).

The Commission now sets deadlines for interested persons to comment on the Application and for the Company to reply.

**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that P4 and its predecessor in interest Monsanto have operated the Soda Springs phosphate plant continuously since 1951. P4 owns the Soda Springs plant and mines as a wholly owned subsidiary of Monsanto. In October 2018, Bayer acquired all assets of Monsanto.

YOU ARE FURTHER NOTIFIED P4’s Soda Springs plant is the largest single user of electricity on PacifiCorp’s six-state system, with a load of approximately 200 MW and 1.5 million MWh per year.

YOU ARE FURTHER NOTIFIED that in December 2019, Bayer announced a corporate goal to achieve 100% of its global electricity purchase with renewable electricity by 2030. Bayer’s initial strategy to achieve this goal includes retirement of its share of PacifiCorp’s system renewable energy certificates (“RECs”) allocated to Idaho and possible purchase of additional RECs on the market beginning in 2021.

YOU ARE FURTHER NOTIFIED that on March 24, 2021, P4 and PacifiCorp entered into the Agreement, under which PacifiCorp would retire, rather than sell, P4’s allocated share of RECs generated from PacifiCorp’s system resources. If approved, the Agreement would be

effective starting January 2021 and would automatically renew unless a party elects to terminate the Agreement.

YOU ARE FURTHER NOTIFIED that RECs from PacifiCorp's generation facilities and purchase power agreements are allocated to states under the Commission-approved 2020 Protocol cost allocation method. System RECs are allocated to Idaho based on the System Generation factor. Under the Agreement, P4's share of RECs allocated to Idaho will be proportional to P4's System Generation factor compared to Idaho's System Generation factor. In 2019, P4 represented approximately 30% of Idaho's System Generation factor.

YOU ARE FURTHER NOTIFIED that the treatment of Idaho's remaining share of RECs would be unchanged by this Agreement. The Applicants state that the Agreement will not impact other customers because revenue from the sale of P4's share of system RECs was previously passed back to P4 and not to other customers. P4 will pay PacifiCorp annually to cover PacifiCorp's costs to administer the Agreement. Initially, P4 will pay PacifiCorp \$15,000 per year to administer the Agreement.

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](http://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 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 June 15, 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](http://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  
[secretary@puc.idaho.gov](mailto: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:**

Ted Weston  
Emily Wegener  
1407 W. North Temple, Suite 330  
Salt Lake City, Utah 84116  
[ted.weston@pacificorp.com](mailto:ted.weston@pacificorp.com)  
[emily.wegener@pacificorp.com](mailto:emily.wegener@pacificorp.com)

**For Bayer:**

Randy Budge  
Racine Olson, PLLC  
201 East Center  
Pocatello, ID 83204  
[rcb@racinelaw.net](mailto:rcb@racinelaw.net)

**Data Requests:**

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

[datarequest@pacificorp.com](mailto:datarequest@pacificorp.com)

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **by June 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 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 June 15, 2021. The Company must file any reply comments by June 29, 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.

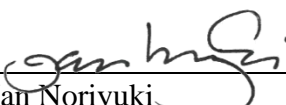
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 27<sup>th</sup> day of April 2021.

  
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PAUL KJELLANDER, PRESIDENT

  
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KRISTINE RAPER, COMMISSIONER

  
\_\_\_\_\_  
ERIC ANDERSON, COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
Jan Noriyuki  
Commission Secretary

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