

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF ROCKY MOUNTAIN ) CASE NO. PAC-E-21-14**  
**POWER’S APPLICATION FOR APPROVAL )**  
**OR REJECTION OF THE POWER ) NOTICE OF APPLICATION**  
**PURCHASE AGREEMENT BETWEEN )**  
**PACIFICORP AND MINK CREEK HYDRO ) NOTICE OF**  
**LLC ) MODIFIED PROCEDURE**  
)  
)  
) **ORDER NO. 35107**

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On June 11, 2021, Rocky Mountain Power, a division of PacifiCorp (“Company”), requested the Commission approve or reject a Power Purchase Agreement (“PPA”) with Mink Creek Hydro LLC for energy generated by a 2.95-megawatt hydroelectric facility (“Facility”). The Facility is a qualifying facility under the Public Utility Regulatory Policies Act of 1978.

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 the Facility is in Franklin County, Idaho near Preston. The Facility has been delivering energy to the Company under a power purchase agreement dated May 21, 1985, which expires March 31, 2022.

YOU ARE FURTHER NOTIFIED that the Company states that the PPA contains published, non-seasonal, non-levelized avoided cost rates for a 20-year term. The PPA’s effective date is April 1, 2022.

YOU ARE FURTHER NOTIFIED that the Company requests the Commission declare all payments for purchase of energy under the PPA be allowed as prudently incurred expenses for ratemaking purposes.

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 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 July 29, 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:

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**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, ID 83714

**For Rocky Mountain Power:**

Ted Weston  
Idaho Regulatory Affairs Manager  
Rocky Mountain Power  
1407 West North Temple, Suite 330  
Salt Lake City, UT 84116  
[ted.weston@pacificorp.com](mailto:ted.weston@pacificorp.com)  
[IdahoDockets@pacificorp.com](mailto:IdahoDockets@pacificorp.com)

Emily Wegener  
Senior Counsel  
Rocky Mountain Power  
1407 West North Temple, Suite 320  
Salt Lake City, UT 84116  
[emily.wegener@pacificorp.com](mailto:emily.wegener@pacificorp.com)

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

[datarequest@pacificorp.com](mailto: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 August 5, 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 July 29, 2021. The Company must file any reply comments by August 5, 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.

DONE by order of the Idaho Public Utilities Commission at Boise, Idaho this 16<sup>th</sup> day of July 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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