

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: MATT HUNTER
DEPUTY ATTORNEY GENERAL

DATE: JULY 2, 2021

SUBJECT: IN THE MATTER OF ROCKY MOUNTAIN POWER'S APPLICATION FOR APPROVAL OR REJECTION OF THE POWER PURCHASE AGREEMENT BETWEEN PACIFICORP AND MINK CREEK HYDRO LLC; CASE NO. PAC-E-21-14.

On June 11, 2021, Rocky Mountain Power, a division of PacifiCorp ("Company"), applied for consideration of a Power Purchase Agreement ("PPA" or "Agreement") with Mink Creek Hydro LLC for energy generated by a 2.95-megawatt hydroelectric facility ("Facility"). Application at 1. The Facility is in Franklin County, Idaho near Preston. *Id.* The Facility is a qualifying facility under the Public Utility Regulatory Policies Act of 1978. *Id.* at 2. The PPA's effective date is April 1, 2022. *Id.*; *see* PPA at 10.

THE APPLICATION


The Facility has been delivering energy to the Company in accordance with a power purchase agreement dated May 21, 1985, which expires March 31, 2022. Application at 3. The Agreement contains published non-seasonal, non-levelized avoided cost rates for a 20-year term. *See* PPA at 10, Exhibit K. The Company requests the Commission declare all payments for purchase of energy under the PPA be allowed as prudently incurred expenses for ratemaking purposes. Application at 5.

STAFF RECOMMENDATION

Staff recommends the Commission issue a Notice of Application and Notice of Modified Procedure, setting a July 29, 2021 comment deadline and an August 5, 2021 reply comment deadline.

COMMISSION DECISION

Does the Commission wish to issue a Notice of Application and Notice of Modified Procedure, setting a July 29, 2021 comment deadline and an August 5, 2021 reply comment deadline?

A handwritten signature in blue ink, appearing to read "Matt Hunter", is written over a horizontal line.

Matt Hunter
Deputy Attorney General

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