

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF PACIFICORP'S ) CASE NO. PAC-E-22-18**  
**APPLICATION FOR APPROVAL OR )**  
**REJECTION OF THE POWER PURCHASE ) NOTICE OF APPLICATION**  
**AGREEMENT WITH OJA, LLC )**  
**) NOTICE OF**  
**) MODIFIED PROCEDURE**  
**)**  
**) ORDER NO. 35623**

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On November 14, 2022, Rocky Mountain Power, a division of PacifiCorp (“Company”) applied to the Commission for approval or rejection of a Power Purchase Agreement (“PPA”) between the Company and Larry and Christie Oja (“Sellers”) for energy produced by Sellers’ small-hydro facility (“Facility”) located in Oneida County, Idaho. The Facility is a qualifying facility (“QF”) under the Public Utility Regulatory Policies Act of 1978 (“PURPA”). The Company also requested that its Application be processed by modified procedure.

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 has a nameplate capacity of 188 kilowatts (“kW”).<sup>1</sup> The Facility has been delivering energy to the Company under a power purchase agreement dated January 24, 1992. The original contract was for 20 years, however, the term was extended by approximately 1 year so as to expire on January 31, 2023. *See* Order No. 35316.

YOU ARE FURTHER NOTIFIED that the proposed PPA is a 20-year contract and contains non-seasonal hydro rates based upon surrogate avoided resource avoided cost methodology.

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

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<sup>1</sup> Paragraph 2 of the Company’s Application states that the Facility has a nameplate capacity of 188 kW. However, paragraphs 7 and 14 inadvertently state that the nameplate capacity is 260 kW. The Company has confirmed that 188 kW is the correct nameplate capacity.

YOU ARE FURTHER NOTIFIED that the Application and proposed PPA are available for public inspection during regular business hours at the Commission’s office. These documents are also available on the Commission’s website 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.

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 it will review the case through written submissions under the Commission’s Rules of Modified Procedure Rules 201-204 of the Idaho Public Utilities Commission’s Rules of Procedure, IDAPA 31.01.01.201-204. 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 they support or oppose the Application. Persons who would like a hearing must specifically request a hearing in their written comments. **Persons shall have until January 4, 2023, to file written comments.** Comments must be filed through the Commission’s website or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission’s website 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 Commission Secretary and 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 Commission:**

Commission Secretary  
Idaho Public Utilities Commission  
P.O. Box 83720  
Boise, ID 83720-0074  
[secretary@puc.idaho.gov](mailto:secretary@puc.idaho.gov)

**For Rocky Mountain Power:**

Mark Adler  
Rocky Mountain Power  
1407 West North Temple, Suite 330  
Salt Lake City, UT 84116  
[mark.alder@pacificorp.com](mailto:mark.alder@pacificorp.com)  
[IdahoDockets@pacificorp.com](mailto:IdahoDockets@pacificorp.com)

Street Address for Express Mail:

11331 W. Chinden Blvd.  
Building 8, Suite 201-A  
Boise, Idaho 83714

Joe Dallas  
PacifiCorp  
825 NE Multnomah Street, Suite 2000  
Portland, OR 97232  
[joseph.dallas@pacificorp.com](mailto:joseph.dallas@pacificorp.com)

Data Request Response Center  
PacifiCorp  
825 Multnomah, Suite 2000  
Portland, Oregon 97232  
[datarequest@pacificorp.com](mailto:datarequest@pacificorp.com)

YOU ARE FURTHER NOTIFIED that the Company and Seller must file any reply comments by **January 11, 2023**.

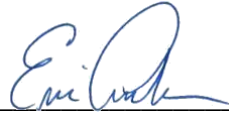
YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, 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, Rules 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so by January 4, 2023. The Company and Seller must file any reply comments by January 11, 2023.

IT IS FURTHER ORDERED that parties comply with Order No. 35375, issued April 21, 2022. Generally, all pleadings should be filed with the Commission electronically and will be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should continue to be accomplished electronically when possible. However, 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 13<sup>th</sup> day of December 2022.



ERIC ANDERSON, PRESIDENT

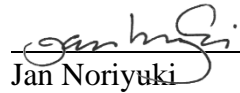


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND, JR., COMMISSIONER

ATTEST:



Jan Noriyuki  
Commission Secretary

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