

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF ROCKY MOUNTAIN)	CASE NO. PAC-E-23-13
POWER’S PETITION FOR AN EXTENSION)	
OF THE 2020 INTER-JURISDICTIONAL)	NOTICE OF PETITION
ALLOCATION PROTOCOL)	
)	NOTICE OF
)	INTERVENTION DEADLINE
)	
)	ORDER NO. 35770

On April 12, 2023, PacifiCorp dba Rocky Mountain Power (“Company”) petitioned for an order modifying Order No. 34640 (adopting a temporary cost allocation methodology that is set to expire on December 31, 2023) and approving the First Amendment to the 2020 Protocol (“Petition”). The First Amendment proposes an extension of the Interim Period through December 31, 2025, clarification of the Oregon exit dates, and changes to Appendix C of the 2020 Protocol. *See* Petition Attachment A.

The Commission now issues this Notice of Petition and sets deadlines for interested persons seeking party rights to intervene.

BACKGROUND

The Commission issued Order No. 34640 adopting the 2020 Protocol on April 22, 2020. The 2020 Protocol established a temporary cost allocation methodology schedule that is set to expire on December 31, 2023, based on the directive in Order No. 34640. The 2020 Protocol has four core sections: an Interim Allocation Methodology and three sections that detail categories of issues for the development of a future allocation methodology—Implemented Issues, Resolved Issues, and Framework Issues.

After execution of the 2020 Protocol the parties to it (“Framework Issues Workgroup”) began developing a successor methodology. After three years in development the Company states that the Framework Issues Workgroup needs additional time beyond that contemplated in Order No. 34640 to complete work on a successor to the 2020 Protocol. During the development process “new regulatory actions from federal agencies, along with operational and market considerations” have impacted the development of the successor methodology. Application at 4.

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NOTICE OF PETITION

YOU ARE HEREBY NOTIFIED that parties in the Framework Issues Workgroup are working to understand new “federal legislation and environmental rule changes . . . expected to impact the costs and benefits of PacifiCorp’s generation fleet.” *Id.* These parties have been considering alternative asset resource allocations and would like to continue developing this method, but anticipate needing more time than was contemplated in Order No. 34640.

YOU ARE FURTHER NOTIFIED that the Company and signatories to the First Amendment seek two additional years to explore and develop alternative methods.¹ The First Amendment requests a December 31, 2025 sunset of the 2020 Protocol.²

YOU ARE FURTHER NOTIFIED that the Petition includes a report that “provides an update on the current status of these discussions and an explanation of the key provisions that amend the 2020 Protocol.” *Id.* (See Petition Attachment B).

YOU ARE FURTHER NOTIFIED that the Petition and Attachments A and B 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. 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 INTERVENTION DEADLINE

YOU ARE FURTHER NOTIFIED that persons desiring to intervene in this matter to obtain parties’ rights of participation must file a Petition to Intervene with the Commission pursuant to this Commission’s Rules of Procedure 72 and 73, IDAPA 31.01.01.072 and .073. Persons who wish to intervene as a party must file a Petition to Intervene **no later than 21 days after the date of service of this Order**. Persons desiring to present their views without parties’ rights of

¹ Signatories from Idaho include Idaho Conservation League, Idaho Irrigation Pumpers Association, P4 Production (Bayer), and Commission Staff. The Company represents it reached out to PacifiCorp Idaho Industrial Customers (“PIIC”) regarding the First Amendment but had not received communication from PIIC at the time of filing.

² “The Framework Issues Workgroup anticipates that a filing will be made in early to mid-2025 to ensure that a new allocation process is in place when [the 2020 Protocol] expires.” Petition Attachment B at 4.

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participation do not have to intervene and may present their comments without prior notification to the Commission or the parties.

YOU ARE FURTHER NOTIFIED that the Commission Secretary shall issue a Notice of Parties after the deadline for intervention has passed. The Notice of Parties shall assign exhibit numbers to each party in this proceeding.

YOU ARE FURTHER NOTIFIED that once the Notice of Parties is issued, Commission Staff will informally confer with the parties to discuss a schedule to process this case and other issues as may be raised by the parties.

YOU ARE FURTHER NOTIFIED that the following people are designated as the Company's representatives in this matter:

Mark Alder
Rocky Mountain Power
1407 West North Temple, Suite 330
Salt Lake City, Utah 84116
mark.alder@pacificorp.com

Adam Lowney
McDowell Rackner Gibson PC
419 SW 11th Avenue, Suite 400
Portland, Oregon 97205
adam@mrg-law.com

ORDER

IT IS HEREBY ORDERED that persons desiring to intervene in this case for the purpose of obtaining parties' rights of participation must file a Petition to Intervene with the Commission, pursuant to Rules 72 and 73 of the Commission's Rules of Procedure, no later than 21 days after the service date of this Order.

IT IS FURTHER ORDERED that after the Notice of Parties has issued, Commission Staff shall confer with the parties regarding a procedural schedule for this matter.

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 5th day of May 2023.



ERIC ANDERSON, PRESIDENT

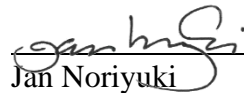


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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