

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF ROCKY MOUNTAIN
POWER'S APPLICATION FOR A WAIVER
OF THE SOLICITATION REQUIREMENTS
PROPOSED IN CASE NO. GNR-E-25-01**

) CASE NO. PAC-E-25-20
) NOTICE OF APPLICATION
) NOTICE OF MODIFIED
) PROCEDURE
) ORDER NO. 36907

On October 20, 2025, Rocky Mountain Power, a division of PacifiCorp (“Company”) applied (“Application”) to the Idaho Public Utilities Commission (“Commission”) requesting an order approving a waiver of solicitation requirements, proposed by Commission Staff (“Staff”) in Case No. GNR-E-25-01, in connection with the Company’s power purchase agreement concerning the Natrium Reactor Plant, Kemmerer Power Station Unit 1 (“KU1”).

We now issue this Order providing Notice of Application and Notice of Modified Procedure, establishing deadlines for the submission of written comments.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Company represents that US SFR Owner, LLC, a subsidiary of TerraPower, LLC, is in the process of obtaining approval from the Nuclear Regulatory Commission to construct the KU1 project near the Company’s Naughton Power Plant (“Naughton”). Application at 3. According to the Company, “[t]he KU1 project is a 345-megawatt sodium-cooled nuclear steam electric generating plant coupled with a molten salt integrated energy storage system.” *Id.*

YOU ARE FURTHER NOTIFIED that the Company states that due to the time-sensitive nature of the KU1 project, it is seeking a waiver from the Request for Proposal (“RFP”) process proposed by Staff in Case No. GNR-E-25-01.¹ *Id.* The Company states that under Staff’s proposals, prior to the acquisition of an electrical resource of 100 megawatts or greater for a duration of at least 10 years that will be subject to recovery from Idaho ratepayers, a utility must solicit resources by issuing an RFP. *Id.* at 4.

¹ On January 2, 2026, the Commission issued Order No. 36898, modifying the RFP oversight process for the acquisition of large supply-side electrical resources.

YOU ARE FURTHER NOTIFIED that according to the Company, under Staff's proposals, the Commission would grant waivers to the RFP process upon the utility's showing of a unique economic opportunity that justifies bypassing the usual solicitation requirements. *Id.*

YOU ARE FURTHER NOTIFIED that the Company characterizes its power purchase agreement ("PPA") related to KU1 as a unique economic opportunity due to: (1) the significant advancements in nuclear technology embodied in KU1, which allow for uncommon energy dispatchability and operational flexibility; (2) comprehensive risk management and safety provisions included in the PPA, including significant protections for unknown performance risks associated with KU1 and the federal safety oversight inherent in a nuclear project; and (3) cognizable long-term benefits, such as operational knowledge that the Company can deploy in future opportunities. *Id.* at 4–7.

YOU ARE FURTHER NOTIFIED that the Company represents that forgoing the RFP process for the PPA is in the public interest and necessary for several reasons that are unique to the KU1 project. *Id.* at 7. Specifically, the Company states that federal funding requirements, the unique commercial opportunity, the geographic and infrastructure limitations connected to the Company's use of Naughton, and a lack of viable alternatives with the same benefits make the PPA a time-sensitive opportunity and obviate the need for an RFP process. *Id.* at 7–9.

YOU ARE FURTHER NOTIFIED that the Company states that the KU1 project has been included in its three most recent Integrated Resource Plans as part of the least-cost, least-risk portfolio of resource options. *Id.* at 9.

YOU ARE FURTHER NOTIFIED that the Application is available for public inspection during regular business hours at the Commission's office. The Application is 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, and 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 the Commission's Rules of Procedure 201-204, 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 the person supports or opposes the Application. Persons who would like a hearing must specifically request a hearing in their written comments and explain why written comments alone are insufficient. **Persons interested in filing written comments, must do so by March 19, 2026.** 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 <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, persons must e-mail the comments to the Commission Secretary and all parties at the e-mail addresses listed below. Persons submitting a comment by e-mail must provide their name, address, and the Case Number under which they are commenting. Persons submitting a comment by e-mail also acknowledge that submitting a comment in an open case constitutes a public record under *Idaho Code* § 74-101(13), and all information provided by such person is available for public and media inspection.

If computer access is unavailable, then comments may be mailed to the Commission and the Parties at the addresses below. Persons submitting a comment by mail must provide their name, address, and the Case Number under which they are commenting. Persons submitting a comment by mail also acknowledge that submitting a comment in an open case constitutes a public record under *Idaho Code* § 74-101(13), and all information provided by such person is available for public and media inspection.

**For the Idaho Public Utilities
Commission:**

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YOU ARE FURTHER NOTIFIED that **the Company must file any reply comments by April 9, 2026.**

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 final 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 this Application be processed under Modified Procedure. Persons interested in submitting written comments must do so by March 19, 2026. The Company must file any reply comments by April 9, 2026.

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 15th day of January 2026.


EDWARD LODGE, PRESIDENT


JOHN R. HAMMOND JR., COMMISSIONER


DAYN HARDIE, COMMISSIONER

ATTEST:


Monica Barrios Sanchez
Commission Secretary

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