

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)	
IDAHO POWER COMPANY FOR APPROVAL)	CASE NO. IPC-E-04-14
OF AN EXTENSION OF THE TERM OF AN)	
AGREEMENT FOR SUPPLY OF POWER AND)	
ENERGY BETWEEN IDAHO POWER)	
COMPANY AND THE J. R. SIMPLOT)	ORDER NO. 29535
COMPANY.)	

On June 15, 2004, Idaho Power Company (Idaho Power; Company) filed an Application to extend the termination date of an August 27, 1973, Agreement, as amended, (Agreement) that the Company has with J. R. Simplot Company (Simplot) for the supply of power and energy to Simplot's Pocatello Fertilizer Plant. Pursuant to the terms of the Agreement, Idaho Power has exercised its contractual right to terminate the Agreement. Although the parties are negotiating in good faith and progress is being made on a new contract, Idaho Power represents that the time remaining under the existing Agreement may not be enough to finalize it. Without an extension, the Agreement terminates June 30, 2004. Idaho Power represents that J. R. Simplot Company agrees with the Company's request for a 60-day extension.

The Application presents the request as follows: "The parties herewith respectfully request that the terms and conditions of the existing Agreement, as amended, remain in full force and effect and that the term of the Agreement *be extended to the earlier of either August 29, 2004 or to a date to which the Commission approves a new agreement* between Idaho Power and the J. R. Simplot Company for electric service in accordance with tariff Schedule 29 and its successor schedules."

COMMISSION FINDINGS

The Commission has reviewed the filings of record in Case No. IPC-E-04-14 and the underlying Agreement (as amended) between Idaho Power Company and J. R. Simplot Company. Reference Case No. U-1006-85, Order No. 11155 (9/13/78). The Commission finds it reasonable to approve the requested extension of the June 30, 2004, termination date. The Commission notes that the electric rates that Idaho Power charges J. R. Simplot are not established by contract, but are established under the filed tariff standard. Reference tariff

Schedule 29. The Commission finds that no other person will be disadvantaged by Commission approval of the contract extension. The Commission further finds it reasonable to approve the contract extension without further procedure.

CONCLUSIONS OF LAW

The Idaho Public Utilities Commission has jurisdiction over Idaho Power Company, an electric utility, pursuant to the authority granted under Idaho Code, Title 61 and the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

ORDER

In consideration of the foregoing and as more particularly described above, IT IS HEREBY ORDERED and the Commission does hereby approve an extension of the termination date of the August 27, 1973 Agreement, as amended, between J. R. Simplot Company and Idaho Power Company to the earlier of either August 29, 2004 or to a date on which the Commission may approve a new agreement between the parties.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* § 61-626.

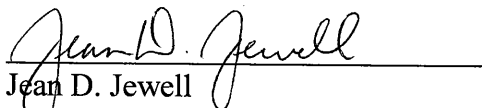
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 28th
day of June 2004.


PAUL KJELLANDER, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


DENNIS S. HANSEN, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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